
**STUDIES IN MODERN
INDIAN HISTORY**

**CRUCIAL DECADES OF
TWENTIETH CENTURY**

Volume-1

1905-1919

STUDIES IN MODERN INDIAN HISTORY

**CRUCIAL DECADES OF
TWENTIETH CENTURY**

Volume-1

1905-1919

DR. M.K. KHER



SARUP BOOK PUBLISHERS PVT. LTD.
NEW DELHI - 110002

Published by
SARUP BOOK PUBLISHERS PVT. LTD.
4740/23, Ansari Road
Darya Ganj, New Delhi-110002

<p>CRUCIAL DECADES OF TWENTIETH CENTURY 1905-1919 VOLUME-I</p>
--

Printed in India
Published by Prabhat Kumar Sharma
for Sarup Book Publishers Pvt. Ltd.
Laser Typesetting at Chitra Computers and
Printed at Mehra Offset Printers, Delhi

Preface

The volume has been weaved into eighteen chapters commencing from the first decade of the 20th century. The main theme deals with foreign policy of Lord Curzon, policy in Tibet and British policy, the Coronation Durbar, Morley Minto reforms, the role of Mahatma Gandhi, role of Ali Brothers, socio-economic role of Annie Besant, ideology of Bal Gangadhar Tilak, the Calcutta Congress, Rowlatt Bills and their reaction, the Amritsar Congress, 1919 and the political ideology of Motilal Nehru, Montagu—Chelmsford reforms, Act of 1919 in its operation, the Non-cooperation Movement, its background and Simon Commission and Indian reaction.

I have collected the relevant research material from various libraries and institutions. These are the Sapru House Library, Delhi University Library, Nehru Memorial Museum and Library, Jawaharlal Nehru University Library, Jamia Millia Islamia University Library, Sahitya Akademi Library and others. I feel beholden to the members of these research centres for their academic support to me for their kind help during my researches.

Hopefully these volumes would be useful for teachers, scholars, students and social scientists in India and abroad.

Contents

1.	Foreign Policy of Lord Curzon	1
2.	The Expedition to Tibet, 1904	12
3.	Internal Administration Under Lord Curzon	26
4.	Coronation Durbar	44
5.	Morely-Minto Reforms, 1909	56
6.	Gandhian Support	95
7.	Role of Ali Brothers	131
8.	Role of Annie Besant	171
9.	Ideology of Tilak	206
10.	The Problem in Champaran	230
11.	The Solution	258
12.	Calcutta Congress, 1917	303
13.	Rowlatt Bills	327
14.	Amritsar Congress, 1919	345
15.	Montagu-Chelmsford Reforms, 1919	372
16.	Act of 1919 in Operation	430
17.	Dyarchy and Non-Co-operation	470
18.	Simon Commission and Round Table Conferences	481
	<i>Index</i>	491

Foreign Policy of Lord Curzon

In January 1899 Lord Elgin was succeeded by Lord Scarsdale's eldest son, the Hon. George Nathaniel Curzon, who had made so promising a start in Parliamentary and Ministerial life in England that some surprise was expressed at his leaving Westminster. He was now in his fortieth year and had served in Lord Salisbury's government as Under-Secretary both for India and for Foreign Affairs. At his own request he was elevated to an Irish peerage instead of one of the United Kingdom, in order that on his retirement, if he desired it, he might not be debarred from continuing his career in the House of Commons. It had been for long the dream of Lord Curzon's life that he might one day hold the great position to which he was now appointed, and he had trained and prepared himself for it by wide and frequent travel in both the nearer and the further East. He had already sailed four times to India, and had visited Ceylon, Afghanistan, China, Persia, Turkestan, Japan, and Korea. He had enjoyed personal intercourse with the rulers of the last four countries. He had given to the world three important books on Asian questions. No Viceroy not an ex-civil servant ever took up his office with so full and extensive a knowledge of the problems to be faced in India

It is no reflection on the able and sound administrators who preceded and followed him, to say that Lord Curzon's viceroyalty was destined to stand out with special prominence. For good or ill no Governor-General since Dalhousie so deeply impressed his personal mark upon the whole framework of

Indian administration, or so widely attracted to himself and to Indian questions the attention of his fellow-countrymen. It is not meant by this that there were no reasonable grounds of dissent from some part of his policy or justification for criticism. Much of what he achieved has still to be tested by the supreme criterion of time, and this generation stands far too close to the events of his administration to pass anything like a final verdict, but even Lord Morley of Blackburn, who belongs to the very opposite school of political thought and tradition, has admitted that the old system (of Indian government) had never been worked with loftier and more benevolent purpose or with a more powerful arm than by the genius and in domitable labour of Lord Curzon. Like all strong men Lord Curzon sometimes came into sharp collision with the wills of others. He challenged criticism and invited enmities. He was too outspoken and too honourably careless of consequences to be popular. Endowed himself with powers of work that seemed almost superhuman, he exacted toil in proportionate measure from his colleagues and subordinates. His vivid and ardent temperament sometimes made him advocate a good cause with unnecessary vehemence. His masterful nature was not altogether favourable to initiative and independence in others. His sense of humour was, perhaps, not so highly developed as his other great qualities. Undoubtedly he tried to do too much. He drove his reforming plough onward a little too rapidly, a little too relentlessly. As they breathlessly pursued his high conception of efficiency, men sometimes sighed for the deliberate restraint and wise tolerance of Viceroys like Lord Northbrook and Lord Dufferin. No statesman ever yet lacked an opposition, and Lord Curzon had plenty of opponents; so that, what seemed to kindly critics to be an altogether admirable devotion to the duties of his high office, appealed to unfriendly and jaundiced observers as 'the bounding exuberance of a vain-glorious personality'. But when all the facts are reviewed, and when all possible deductions are made, Lord Curzon's viceroyalty must surely stand out as great and notable,

great in the roll of the tasks actually achieved, great in the lofty sense of duty invariably displayed, in the exacting labours unremittingly fulfilled, and great in the stately and impressive eloquence which defended his policy before the bar of public opinion.

Lord Curzon's external policy was mainly concerned with the north-west frontier tribes, with Afghanistan, with Persia, and with Tibet. Of these problems the settlement of the tribal country in the north-west first claimed his attention. The Tirah campaign, as we have seen, had been concluded in the spring of 1898, but a year later, when Lord Curzon assumed office, about 10,000 troops were still quartered beyond the British boundary line in Chitral, the Tochi valley., Landi Kotal and the Khyber Pass. In Parliament Lord Curzon had ably defended Lord Elgin's policy in regard to Chitral and the construction of the famous road from that town to Peshawar, and he had generally been regarded as one of the ablest exponents of the forward school. But in India he clearly showed that he had little sympathy with its extreme advocates. It was, of course, no longer a matter of practical politics to evacuate Chitral, Quetta, and the posts already occupied, but short of that, Lord Curzon deliberately reversed the trend of frontier policy of recent years. Large numbers of British troops were gradually withdrawn from the Khyber Pass, the Kurram valley, Waziristan, and the tribal country generally, though, isolated posts like the Malakand and Dargai just over the border were retained and fortified. Their place was taken by tribal levies trained and commanded by British officers. Down to 1914, for instance, the whole of the Khyber Pass was held by the Afridis of the Khyber Rifles. Within our lines our forces were increased and concentrated; strategic railways were built up to Dargai, Jamrud, at the entrance to the Khyber Pass, and Thai, the gate of the Kurram valley. A determined attempt was made to regulate and limit the importation of arms and ammunition to the tribesmen, and generally speaking, the latter were taught that, while we

would scrupulously respect their independence, we should not tolerate outrages upon our frontier. The best defence of this policy is the fact that, with the exception of the blockade of the Mahsud Waziris in 1901, the fierce conflicts of 1897-8 were followed by ten years of peace. 'If anybody, said Lord Curzon, in the House of Lords in 1908 after his retirement, 'had been disposed to doubt the success of the scheme of frontier policy which has now been in existence for ten years, his doubts must have been dispelled, and I hope that we shall now hear no more of the wild-cat schemes for advancing into tribal territories, annexing up to the border, and driving roads through the tribal country.'

Hitherto the north-west frontier districts had been subordinate to the lieutenant-governorship of the Punjab, and the government of India could only indirectly control them. This arrangement dated back to the time when the Punjab was itself regarded as a frontier province, and was administered by the famous school of district officers who were purposely left by the government a large amount of freedom and initiative. Their relations with the people were personal and intimate, and as long as their methods were justified by success, they suffered little interference from Calcutta or Simla. But, as the British boundary line shifted further to the north-west, most of the Punjab became as much subject to law and regulations as the old settled provinces. Lord Lytton, as we have seen, had already suggested that the frontier districts should be placed under officers directly controlled by the supreme government, but the projected reform, though considered by Lord Elgin and Lord George Hamilton, had remained in abeyance. In 1901 Lord Curzon carried it through. The trans-Indus districts of the Punjab were joined with the political charges of the Malakand, the Khyber, the Kurram, Tochi, and Wana to form a new North-West Frontier Province, with an area of 40,000 square miles, under a chief commissioner directly responsible to the government of India. At the same time,

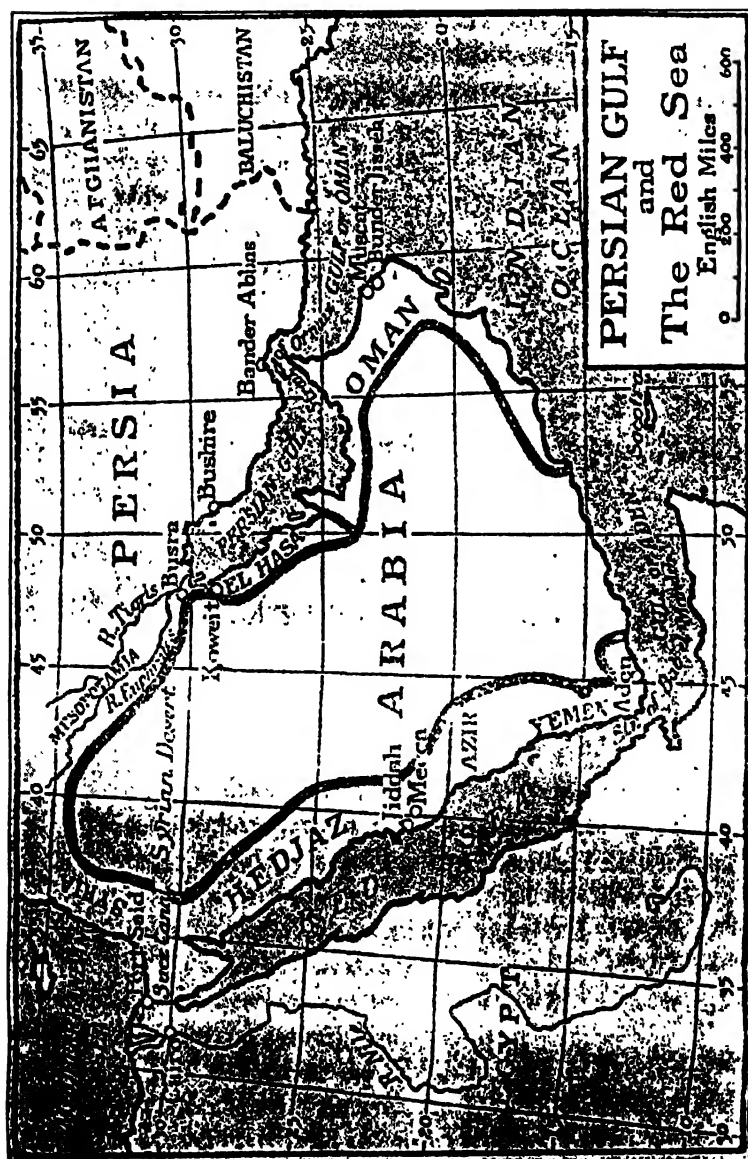
in order to avoid confusion the old North-West Provinces were renamed the 'United Provinces of Agra and Oudh'. The change, though now almost universally approved, was not effected without much friction and opposition at the time. Some of the Punjab officials were aggrieved at the curtailment of their powers, and were offended at Lord Curzon's strictures on the former frontier record of the Punjab government—strictures which, it may be confessed, were unnecessarily vigorous.

The peace secured along the north-west frontier did much to improve our relations with Abdur Rahman, which since the troubles of 1897-8 had inevitably been critical. The Amir, indeed, was in an extremely difficult position. Though he was accused by many Englishmen at the time of secretly fomenting the trouble from his side of the frontier, the charge was probably untrue. The tribesmen, appealed to him, and the majority of his own turbulent subjects would have been only too pleased to plunge into the troubled waters. But Abdur Rahman succeeded, and it was no mean feat, in keeping them in hand. In a vigorous proclamation he ordered them to keep the peace, denied that the movement was a *jihad*, or holy war, and declared that when the right time for such a crusade occurred he would announce it and put himself at their head. In 1900 the Amir published his autobiography, a work of great interest. His point of view was naturally different from our own but the very complaints he makes against British policy testify to the value he placed upon our alliance. He asserts that the policy of the government of India in relation to his country has too often been inconsistent and vacillating. Great Britain should give her ally more material and moral support against Russian aggression, and should take him more into her confidence. He ought to be allowed to annex the territories of the tribesmen, and to form a triple alliance with the two great Muhammadan powers of Turkey and Persia. This able and sagacious ruler died in September

1901, and perhaps the greatest testimony to his power was the fact that, against all the precedents of Afghan history, his son Habibullah, was allowed to succeed peaceably, and no internecine civil war broke out between the numerous sons of the late Amir.

Our relations with Habibullah, at first, were hardly as cordial as they had been with his father. The Indian government regarded the treaty with Abdur Rahman as personal to that ruler only, and desired that it should now be renewed. The new Amir, however, argued that the agreement was one between the two countries and that a renewal was unnecessary. For some years intercourse almost ceased between Afghanistan and the Indian government, and Habibullah refrained from drawing his subsidy. No doubt he had internal difficulties of his own, and it is at any rate in his favour that he succeeded in holding back his unruly subjects from serious depredations across the frontier. Three years later (November 1904) when Lord Curzon was in England, before he embarked on his extended period of office, Lord Amptill, the acting Viceroy, sent Sir Louis Dane on a mission to Kabul. The mission, which remained at the Afghan capital from December 12, 1904 to March 29, 1905, was so far successful that better relations were established with the Amir, but only at the price of concessions which, according to some critics, seriously impaired our credit and prestige. Habibullah certainly treated the envoy rather cavalierly and arrogantly claimed the title of 'His Majesty' for himself. In the end this claim was allowed, and his view of the treaty was accepted, whereupon he consented to draw the arrears of his subsidy.

Within the preceding twenty years Indian foreign policy had been increasingly concerned with the Middle East, and especially with the Persian Gulf. Great Britain's influence in that landlocked sea had always been of a unique character. It had steadily grown by prescriptive right, and till the end of the nineteenth century it was practically



unchallenged because, with a wise prevision, no definite claims in regard to it had ever been put forward by British statesmen. The Gulf was one of the main areas of British exploration and commercial enterprise in the seventeenth century. We had cleared it of the piratical craft that once infested it, had patrolled and policed its waters, and since 1853 had kept it open to vessels sailing under every flag. The need of maintaining over the seas the route to India caused us to claim a general control over all the coastline eastwards from Aden to Baluchistan, though we have not questioned the sovereignty of independent Arabian tribes, the Ottoman government, the Sultan of Oman and the Shah of Persia over the territories along the shore. So, too, in the Gulf itself we have never desired to acquire land on either seaboard, but we will allow no other European nation to obtain territorial stations there. In time, as was inevitable, our attitude attracted the rather resentful attention of other powers. In 1892 a French statesman declared in the Chamber of Deputies that Great Britain's claim to keep order by herself in the Persian Gulf, and to be sovereign arbiter of all disputes between Arabian, Persian, and Turkish chiefs was exercised in a form European diplomacy had never recognized. This statement, though it ignored actualities, had a certain literal truth about it, and for eleven years from this date France, Russia, Germany, and Turkey, by diplomatic activity in the Gulf and neighbouring waters appeared to be deliberately testing the validity of our unavowed claims. In 1898 the Sultan of Oman, in violation of a secret agreement with Great Britain of 1891 debarring him from alienating any part of his dominions to a European power, granted to the French a coaling-station at Bunder Jisseh, five miles south-east of Muscat, with the right to fortify it. In 1899 when this transaction became known, a small naval squadron was sent by Lord Curzon from Calcutta and, under threat of a bombardment of the Sultan's palace, the concession was revoked. In the negotiations that followed this drastic action, in London and Paris, the French

accepted our view that a former treaty of 1862 precluded either country from acquiring any territory in the State of Oman. In 1900 a similar attempt of Russia to obtain a coaling-station on the northern shore of the entrance to the Gulf was quietly frustrated. At the head of the Gulf the ruler of Koweit (whose title is the 'Sheik Mubarak'), a town possessing a fine harbour, was supported by us against Turkey's persistent efforts to undermine his independence, and in 1899 we entered into an agreement with him that he should make no concessions to any foreign power with the result—a contingency we had foreseen—that he politely refused Germany's request in 1900 to grant her a site for the terminus of the Berlin to Bagdad railway. The only result of these tentative essays upon our position was that we were driven to formulate our claims explicitly; in May 1903, Lord Lansdowne, the British Foreign Secretary, announced to the world that we should regard the establishment of a naval base or of a fortified post in the Persian Gulf by any other power 'as a very grave menace to British interests which we should certainly resist with all the means at our disposal'.

This famous declaration was rendered necessary not only by the incidents which we have described but by a far greater world movement, the disintegration and dissolution of the Persian empire. Though Great Britain still held in her hands the greater part of the trade with southern Persia, her influence in the country as a whole had in recent years steadily and inevitably declined. The appointment of Sir Henry Drummond Wolff as minister to Teheran in 1887 did a good deal to restore our waning prestige, but in the northern province of the Persian empire we naturally did not, and could not, compete with Russia. Since the downfall of the Turcomans, of Khiva, and Bokhara, the Russian frontier for about a thousand miles has marched with that of Persia. The construction of the Transcaspiian railway, and the development of navigation on the Volga had, up to the outbreak of the European War of 1914, diverted most of the commerce of northern and central Persia into Russian

hands. But Russian commercial policy at this time was still dominated by ideas of monopoly and restriction. The construction of railways in Persian territory was forbidden, and other measures for the improvement of the country were discouraged. Politically, as well as commercially, northern Persia tended to pass more and more under Russian control. The northern frontier was ill-defined and encroachment upon it in one form or another was easy. Teheran the capital was within a hundred miles of the Russian frontier, and the most formidable—perhaps the only formidable—force in the Persian army consisted of Persian Cossacks trained and commanded by Russian officers. There could have been little doubt at the time, but for British influence in southern Persia, the whole empire of the Shah would soon have been absorbed into the colossal dominions of the Tsar. Lord Curzon had for many years urged that attempts should be made to extend and develop that influence. His visit to the Gulf in 1903—the sequel to Lord Lansdowne's famous pronouncement in the same year—the establishment of consulates in the ports and the internal trading centres, the Seistan mission of 1903-5 which, under Sir Henry McMahon, completed the work of Sir Frederic Goldsmith's boundary delimitation of 1872, and the projection of the Quetta to Nushki railway, with a view to opening up a trade route to Seistan, did much to further these projects. Lord Curzon's policy, which was also that of the Cabinet at home, has been attacked as too provocative, but in view of our long and unique services in keeping the peace in the Gulf, in surveying, lighting, buoying, and patrolling these pirate-infested waters the criticism is unreasonable. Lord Curzon found that there was a danger of our prestige as paramount power, which, even if unrecognized in the formal diplomacy of Europe, had been hallowed by long prescriptive right, crumbling away almost unnoticed amid the multiplicity of our imperial interests and distractions.

His prompt yet carefully considered action repelled the insidious attempts of other powers to insinuate claims that would in the future have, been embarrassing. He quietly but unmistakably proclaimed our intentions to the world, and on the shores of the Gulf itself displayed plain evidence to the nations dwelling there that the naval power of Great Britain extended even to their torrid, remote, and secluded waters its protecting and overshadowing arm.

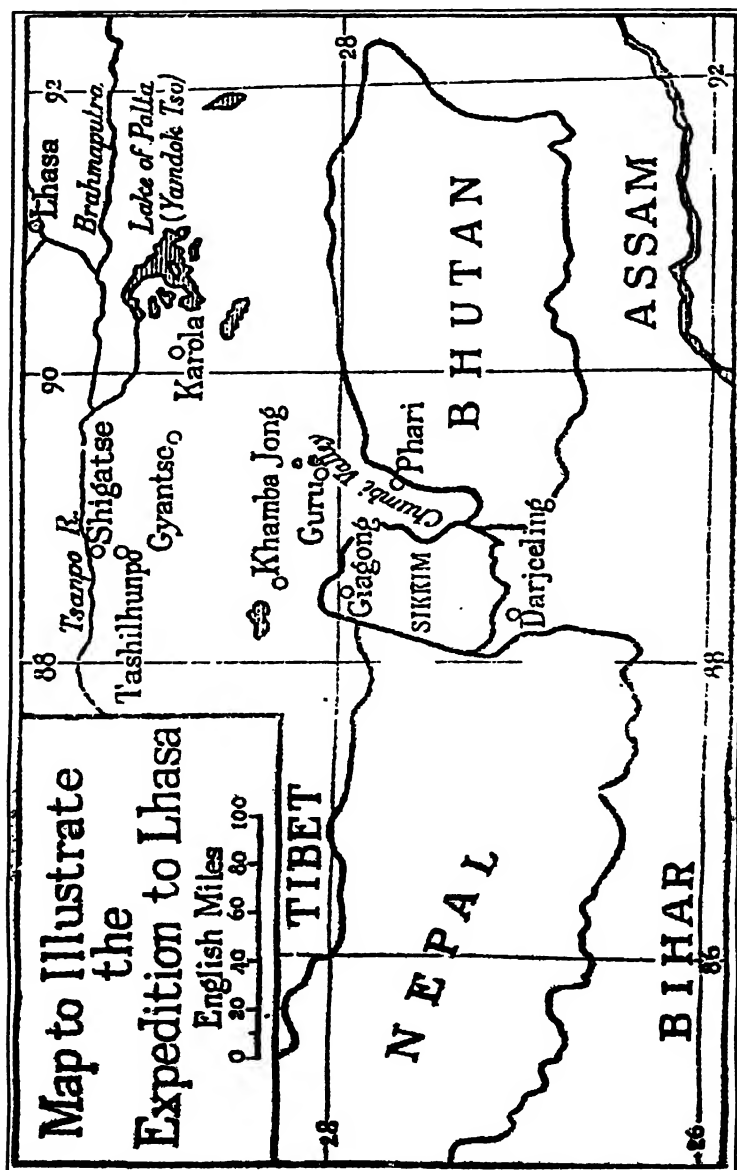
The Expedition to Tibet, 1904

Lord Curzon's policy in relation to the north-western frontier, Afghanistan, and the Persian Gulf, as we have seen, merits high praise, and the results achieved fully justified the line of action which he adopted. His treatment of the Tibetan problem is far more open to criticism, and the outcome of his activity in that quarter cannot be regarded as entirely satisfactory.

The central Asian tableland of Tibet stretches northward from the Himalayas; its western and southern frontier of about 1,000 miles marching with Kashmir, the Punjab, Garhwal, the United Provinces, Nepal, Sikkim, Bhutan, Eastern Bengal, and Upper Burma. It is bounded on the by the Chinese empire and on the north by Eastern Turkestan. With an area in square mileage about equal to the combined territories of France and Germany it has a population of probably less than half that of London. The mean altitude of Tibet is far greater than that of any considerable country in the world. Lhasa, the capital, stands 12,900 feet above sea level. The town of Phari is built at a height of 15,000 feet—only about 800 feet lower than the summit of Mont Blanc. During Younghusband's expedition military operations at the Karo La were conducted at the stupendous elevation of between 18,000 and 19,000 feet. The vast Tibetan plateau sinking in places into shallow cup-like depressions and narrow valleys heaves up its crest in mountain ridges of 24,000 to 25,000 feet. A great part of the country is treeless waste covered with glaciers and

eternal snows, and swept by bitter dust-laden winds, but the declivities and valleys are abundantly fertile and are clothed with luxuriant crops. Communications are naturally of supreme difficulty. Wheeled traffic is practically unknown. Trade routes pass over heights where men faint in the rarified atmosphere and grow dizzy with mountain sickness. The political, social, and religious genius of the people of Tibet sedulously seeks to strengthen still further the barriers which the forces of nature, sublime in their grandeur and ruthlessness, have built up round the country.

The faith of the Tibetans is Buddhism. The government is a monkish and aristocratic theocracy, at the head of which are the two great Lamas, that is Pontiffs or Abbots, known as the Dalai Lama of Lhasa and the Tashi Lama of the great monastery of Tashilhunpo near Shigatse, who are regarded as reincarnations of the Buddha in one or more of his various manifestations. As soon as either of these pontiffs dies, a successor is immediately appointed from infant children born about the time of his death. Till he comes of age, regency councils govern for him. In spiritual matters the Tashi Lama is theoretically superior, but political power has for many years practically centred in the hands of the Dalai Lama or rather the council that rules during his minority; it is a sinister fact that few Dalai Lamas in the past hundred years have outlived the period of their nonage, and the government therefore has consisted of a succession of ecclesiastical regencies. The Dalai Lama, or those that represent him, and the executive council are advised by the Tsong-du, or national assembly, mainly controlled by a few hereditary nobles and the abbots of three great monasteries at Lhasa. But Tibet since the early years, of the eighteenth century has owned the suzerainty of China, and two Chinese officials called Ambans, i.e. Residents or Ambassadors or Viceroys (for they partake in some degree of the unctions of all three) reside at Lhasa and control the Tibetan government.



Though the country is undeveloped, entirely uninfluenced by western ideas of progress, and, in the words of Captain O'Connor who accompanied the expedition, 'oppressed by the most monstrous growth of monasticism and priestcraft which the world has ever seen', it has, from the point of view of the inhabitants, many redeeming features. The same observer records the fact that in spite of the arbitrary rule of the nobles and officials the country on the whole is well governed and the people well treated. They live simply and happily enough under a sort of patriarchal sway. Though the monasteries lie everywhere like an incubus on the land, and drain away the resources of the soil, the fertility of the valleys in the comparatively small portion of Tibet which came under Captain O'Connor's observation, is such that the agriculturist has an easy time and little anxiety... the standard of comfort amongst the very poorest is high and indeed luxurious as compared with that of an Irish cottar'.

The history of British relations with Tibet dates back to 1774-5 when Warren Hastings sent a young and talented writer of the East India Company named George Bogle to visit the Tashi Lama of that period. He was kindly received and his report of his journey forms a valuable early source for our knowledge of Tibet. A second envoy, Samuel Turner, was dispatched in 1783 but found a colder welcome and less inclination on the part of the rulers of Tibet to open up trade with India. In 1811-12 Manning, an English free-lance, actually succeeded in penetrating to Lhasa and visiting the child Dala Lama of those days. In 1885-6, as we have seen, the consent of the Chinese was reluctantly given for a British commercial mission to Tibet, but in the end our prospects in that country were sacrificed to obtain the consent of the Chinese government to the annexation of Burma. In 1887 the Tibetans invaded the territory of the little protected state of Sikkim but were driven out with loss by General Graham the next year. In 1890 a

convention was concluded between Great Britain and China which settled the Sikkim-Tibet boundary and appointed joint commissioners, who were to discuss the possibility of providing increased facilities for trade, and to settle the question of pasturage on the frontier, both the Tibetans and the people of Sikkim being accustomed at certain seasons of the year to drive their cattle over their neighbours' boundary. By 1893 the Commissioners entered into a more definite agreement and a trade mart was established at Yatung just over the Tibet-Sikkim frontier. But practically no real trade or intercourse resulted. The truth was, as a British frontier officer declared, that neither the Chinese nor the Tibetan rulers will ever assent to free intercourse with India except through fear of something which they may regard as a greater calamity. In maintaining their isolation both parties made effective play with the curious dualism of the government. The Chinese politely regretted that the Tibetans, owing to 'their doltish feelings', refused to welcome British intercourse, the Tibetans declared they could do nothing without the authority of the Chinese who so they averred, had even failed to inform them that a convention had been concluded.

Things remained for some time in this unsatisfactory state, and just about the time of Lord Curzon's accession to office two new conditions in the political aspect of Tibet made their appearance. In the first place, the control of the Ambans over the government was sensibly weakening; the Tibetans showed a strong desire to free themselves from Chinese sovereignty and to welcome the influence of Russia as a counterpoise. Secondly, the Dalai Lama unlike most of his predecessors had outlived the period of his minority, overthrown the regency government by a *coup d'état*, and had revealed himself as a ruler with considerable personal force, a strong will and headlong disposition. He was greatly influenced by a remarkable man who had risen to a high position in the administration of Tibet, Dorjiew, a Mongolian

Buriat, and by birth a Russian subject. This man had been sent from Lhasa in 1898 to Russia to collect contributions for religious purposes from the numerous Buddhist subjects of the Tsar. He returned to Russia more than once within the next few years, and in 1900 and 1901 was received in audience by the Emperor. The Russian press hailed these events as heralding the spread of their country's influence in Tibet. It is likely enough that the initiative in this *rapprochement* came originally rather from Tibet than Russia. The Russian Foreign Minister assured the British ambassador in St. Petersburg that the visits of Dorjjeff had no political significance, and certainly it would have been difficult for the Tsar to refuse to receive an envoy coming ostensibly on a religious mission. But the Indian government grew uneasy. They believed that Dorjjeff, whatever the original purpose of his journeys, would be used to promote political aims, and would end by becoming practically a Russian agent in Tibet. As a matter of fact it appears that the Dalai Lama himself was the main convert to the new Russianizing policy. Dorjjeff seems to have persuaded him that to fling off the onerous suzerainty of China it would be necessary, to enter into closer relations with some other strong empire; the tremendous yet far distant might of Russia with her great number of Buddhist subjects was preferable to the power of Great Britain established so near the southern gates of Tibet, whose emissaries had long been endeavouring to penetrate the country for commercial purposes. The Tsong-du opposed the policy of the Lama, and, according to one theory the latter deliberately provoked aggression with India to force the hands of the national council and drive them into an agreement with Russia.

Lord Curzon eagerly pressed upon the home government the sending of a mission to Tibet. Complaints were to be made that the Tibetans had encroached upon the Sikkim frontier, established a customs post at Giagong, thrown down certain boundary pillars and walled off the only road

leading from Tibet to Yatung. These detailed grievances were to be supported by the more general statement that the isolation of the Tibetan government is not compatible either with proximity to the territories of a great civilized power at whose hands the Tibetan government enjoys the fullest opportunities both for intercourse and trade, or with due respect for the treaty stipulations into which the Chinese government has entered on its behalf. But the alleged reasons for the mission were flimsy, and it is certain that nothing would ever have been heard of them but for the recent visits of Dorjjeff to Russia.

The home government was not in favour of any advance into Tibet. They pointed out that the country was politically subordinate to China, and that therefore the only proper course was to put pressure upon the authorities in Peking to bring the Tibetans to reason. Accordingly, in 1902, upon a report that an agreement had been concluded between Russia and China concerning Tibet, Lord Lansdowne informed the Russian ambassador that Lhasa was within a comparatively short distance of the northern frontier of India, while it was 1,000 miles distant from the Asiatic empire of Russia. We were more closely interested than Russia in Tibet and 'it followed that, should there be any display of Russian activity in that country, we should be obliged to reply by a display of activity not only equivalent to, but exceeding that made by Russia'. The British Minister at Peking had already informed the Chinese government that, should any agreement affecting the political status of Tibet be entered into by China with another power, the British government would be compelled to take steps for the protection of British interests. But Lord Curzon still believed in the existence of an agreement, if not a treaty, between St. Petersburg and Lhasa, and urged the home government to send a mission direct to Tibet. The Chinese suzerainty was a 'political affectation', and the diplomatic use made by the two countries of the dualism of the government was a 'solemn farce' which 'has been enacted with a frequency

that seems never to deprive it of its attractions or its power to impose. In the view of Lord Curzon and his supporters England could not afford to see Russia allied with the Tibetans and controlling their policy. No Russian invasion of India through Tibet was indeed possible, but Russia's career of conquest and absorption in Asia was then at its zenith, and her presence in Tibet would have ruined British prestige in the East. The Secretary of State, however, declaring that the dispatch of an expedition to Tibet while Great Britain and Russia were discussing matters would be most unsuitable, imposed delay. Meanwhile, the Russian ambassador assured the home government that there was no convention about Tibet nor any Russian agent in that country, though the Russians regarded Tibet as forming of the Chinese empire, in the integrity of which country they took an interest.

The whole situation was complicated and difficult. We have the Indian government pressing a forward policy on the Cabinet the Cabinet endeavouring to restrain the eagerness of a masterful Viceroy and anxious not to offend the susceptibilities of Russia : the British Minister at Peking trying to put pressure on the Chinese government; the Chinese, hating our interference altogether, unable to coerce the Tibetans and anxious to conceal their inability to do so from the British government; and finally Russia protesting that she had no political designs, but obviously uneasy at the prospect of British intervention in Tibet.

Lord Curzon next proposed that negotiations should be opened with China and Tibet at Khamba Jong, a place fifteen miles north of the Sikkim frontier, to impress upon both those governments the need of fulfilling their treaty obligations, and that if envoys did not appear there, the British commissioners should move forward to Shigatse or Gyantse. The home government, most weakly from their own point of view, allowed themselves to be squeezed. They reluctantly sanctioned the advance of a mission

under Colonel (now Sir) F. E. Younghusband to Khamba Jong, and though they declined to accept Lord Curzon's proposal that we should insist on having a British agent at Gyantse or Lhasa, they had in fact, embarked upon a course of operations which under the pressure of further demands was to lead them step by step to the occupation of Lhasa itself.

Colonel Younghusband reached Khamba Jong in July. But though the Chinese officials made their appearance, the Tibetans refused to come to a conference unless the mission should retire to the frontier. Colonel Younghusband himself admits that there was some force in their argument that the discussion should have taken place on, and not within, the Tibetan boundary, and that it would have been reasonable for us to assent to their demand. It certainly seems difficult to contest this, and Colonel Younghusband's own reason against doing as the Tibetans requested is the purely arbitrary statement, which events might or might not have proved true, that 'such negotiations would not in fact have led to any result'. This could only be proved by the issue, and we should at, least have attempted to negotiate without first crossing the boundary line. There ensued a long deadlock, during which the Tibetans began to mass troops in the neighbourhood of Khamba Jong. The home government, on November 6, after pressure from the Indian authorities, sanctioned an advance to Gyantse on the understanding that as soon as reparation should be obtained a withdrawal should be effected. This decision was followed by a prompt protest from the Russian ambassador to Lord Lansdowne, the Secretary of State for Foreign Affairs, a protest which, in view of repeated British assurances on the subject of Tibet in the past, could certainly not be regarded as unnatural. Lord Lansdowne, however, countered the Russian objections by declaring that the British government had shown extraordinary self-restraint and avowing his belief that under similar provocation the Russians would long ago have been in Lhasa; at the same time he gave an

assurance that Tibetan territory should neither be annexed nor permanently occupied.

The advance to Gyantse began in March 1904, and on the last day of the month came the collision with the miserably-armed and badly-led Tibetan troops at Guru, which inevitably presented such a pitiful aspect to the world, and caused a great outbreak of indignation in England among the opponents of Lord Curzon's policy. The Tibetans had ranged themselves across the path of the expedition, and refused to give way when ordered to do so. A few rounds from the British modern weapons of precision left 700 dead and wounded on the field, while only a few casualties, none of them fatal, were sustained by our troops. Gyantse was reached on April 11, but there, too, the Dalai Lama refused to negotiate, and the Cabinet now authorized a further march on Lhasa. More fighting was found to be necessary. An advance guard brilliantly defeated the Tibetans, who occupied a, strong position in tremendous altitudes amid eternal snows at the Karo La pass, and a surprise attack on the mission camp in the rear on May 5 was beaten off. The Dalai Lama, now thoroughly alarmed, sent, mission after mission to meet the British force with offers to negotiate, but Younghusband sternly refused to enter into *pourparlers*, till he reached Lhasa. On August 3 the expedition entered the holy and mysterious city, the goal of so many vain endeavours in the past, marching through the famous gateway and looking up with wonder at the glittering Potala Palace of the Lams raised high above the rest of the town on its escarpment of solid rock with its tier upon tier of storied windows and golden roofs flashing in the sunlight. Three weeks before, the Dalai Lama, bitterly disappointed that no help was forthcoming from Russia, and convinced at last that nothing could stay the relentless advance of the men he had despised and flouted had fled from his capital.

Younghusband now entered into negotiations with the Regent to whom the Dalai Lama before his flight had delegated his powers. The Chinese Resident proved courteous and obliging, in fact too much so for the taste of his government, which afterwards degraded him for what they regarded as excessive compliance to the mission. The Tonga Penlop (or Prime Minister) of Bhutan and the Nepal representative, who were present in Lhasa, gave the British valuable help, and did much to persuade the Regent to conclude the treaty. It was finally signed on September 7, and the expedition was able to start on its return journey sixteen days later. The treaty provided for the establishment of trade marts at Yatung, Gyantse, and Gartok, and the promotion and encouragement of commerce between India and Tibet. A British commercial agent was to be stationed at Gyantse, and he was empowered, if occasion demanded it, to proceed to Lhasa. The Indemnity was fixed at 75 lakhs of rupees, and was to be paid off in annual instalments of one lakh. The Chumbi valley—that is, the wedge of Tibetan territory inserted between Bhutan and Sikkim—was to be occupied by British troops till the whole sum was paid off. Other provisions secured to Great Britain direct influence over the external policy of Tibet. No portion of Tibetan territory was to be alienated to any foreign power, nor was any agent of such power to be admitted into the country. No concessions for railways, roads, telegraphs, no mining or other rights, were to be granted to, any foreign state or to the subjects thereof. If such concessions were granted, similar powers would, at once be demanded by the British government.

But, in concluding such terms, Younghusband had undoubtedly exceeded his powers. The Secretary of State had laid it down that the indemnity was not to exceed an amount which it was believed would be within the power of the Tibetans to pay by instalments spread over three years, though Younghusband 'was to be guided by circumstances

in the matter'. No resident was to be demanded at Gyantse, Lhasa, or elsewhere. The home government considered the Tibetan question from the wider standpoint of imperial policy, and were bound by the pledge recently given to Russia that so long as no other power endeavoured to intervene in the affairs of Tibet, Great Britain would not attempt either to annex it or establish a protectorate over it, or in any way control its internal administration. Colonel Younghusband, viewing the problem from the narrower and simpler standpoint of Indian policy, allowed himself to deviate from these instructions. It is true that the reasoned dispatch setting forth the grounds of the home government's policy did not reach him till after the treaty was signed, when undoubtedly it would have been very difficult—if not impossible—to reopen negotiations, but the telegraphic instructions he had previously received were perfectly clear and definite. In spite of this he convinced himself by some curious reasoning that the discretion granted to him to be governed by circumstances would cover the prolongation of our hold over the Chumbi valley from three years to seventy-five, and justify the provision for an agent at Gyantse because his business was commercial and not political. The Government of India defended Younghusband's action as shewing a 'fearlessness of responsibility which it would be a grave mistake to discourage in any of their agents. The fact that they sympathized strongly with his point of view will perhaps explain this euphemistic synonym for disobedience to orders, for it must be confessed that Lord Curzon's government had not appeared hitherto to welcome this kind of independence in their subordinates. On the other hand, the Secretary of State, Mr. St. John Brodrick, was very angry, as he had a right to be, at his instructions being disregarded. Clearly the proposed occupation of the Chumbi valley for seventy-five years would appear to the world a disingenuous evasion of the recent pledge to Russia. He therefore insisted on a revision of the treaty; the indemnity was reduced from 75 to 25 lakhs; it was agreed that after

three annual instalments had been paid, provided the other terms of the treaty had been carried out, the Chumbi valley should be evacuated; finally, the condition which gave the British agent at Gyantse access to Lhasa was disallowed.

As regards the question of the justification for Lord Curzon's policy, it was noticed by Lord Rosebery in the House of Lords in 1904 that the situation of 1903 in regard to Tibet presented some rather sinister points of resemblance to that of 1878 in regard to Afghanistan. At both dates an independent state on our borders was showing a strong inclination to enter into relations with Russia. In both cases we had a very doubtful ethical or legal right to interfere, but in both too there existed a strong feeling, in many respects no doubt well justified, that our prestige would seriously suffer if we were excluded and Russia's representatives were admitted. Once more a vigorous forward policy was pressed on, reluctant home authorities by the Indian government. Just as Lord Lytton desired the retention of a British agent at Kabul, so Lord Curzon was eager to keep a representative at Lhasa or Gyantse. There is even a somewhat striking resemblance between the vigorous and brilliantly-phrased dispatches of the two Viceroy. 'There was a tendency in 1903 as in 1878 to read into certain actions of our opponents more evidence of hostility than the facts warranted. For instance, it was stated that the Tibetans had usurped grazing rights on the Sikkim side of the border, but it was afterwards found that they were balanced by similar rights which had been ceded to the Sikkimese, and that this mutual arrangement was the one most convenient for both parties.

To one school of thought it appeared that Lord Curzon 'by his policy of persistence crushed a cleverly-veiled design', inimical to British imperial interests; to another he seemed to have embarked upon a course of unwarranted and disastrous interference with a weak and independent state. It is easy, of course, for the historian, in the illuminating wisdom that comes after the event, to point out that

politically the results would have been more impressive if there had been no compromise between the two policies. Either Lord Curzon should have been allowed to pursue his path unhampered, or the Cabinet should have refused to sanction any interference at all. Within the next few years it seemed to some of those best acquainted with the East that China was the one power which has reaped solid advantages from the Tibet mission'. Chinese claims were developed into actual sovereignty. 'We have not extended our trade as we had hoped, and we have raised up for ourselves a new and disturbing situation on the north-east frontier, of India.'

Whatever may be the political and ethical rights of the matter, the actual conception and conduct of the expedition were brilliantly successful. It has been rightly described as 'a triumph of organization and daring'; and indeed this sudden-penetration of a little band of pioneers into the jealously-guarded seclusion and mysterious snow-lad solitudes of Tibet forms a fascinating episode in the unromantic annals of modern India.

Internal Administration Under Lord Curzon

In internal affairs Lord Curzon succeeded to a heritage of plague and famine. The drought of 1899-1900 was one of the most severe on record. It came before the country had fully recovered from the ravages of the visitation of 1896, and a simultaneous outbreak of cholera and malarial fever intensified the miseries of the famishing people. The scarcity extended over an area of 475,000 square miles with a population of 60 million souls. The provinces affected were the Punjab, Rajputana, Baroda, Bombay, the Central Provinces, Berar, Hyderabad, and Gujarat. One million people are said to have perished in British territory alone, and over six millions sterling were spent in relief. A commission presided over by Sir A. Macdonnell afterwards reported that the relief distributed was excessive, and that the excess was due to 'an imperfect enforcement of tests on relief works...a too ready admission to gratuitous relief and ... a greater readiness on the people's part to accept relief owing to the demoralizing influences of the preceding famine'.

After 1900 India had for some time respite from severe famines. Plague, however, persisted and through the whole of Lord Curzon's viceroyalty increased in intensity. The most devoted efforts to combat its ravages proved in vain, and in the last year of his period of office the total number of deaths amounted to more than 900,000. In April 1900

serious riots occurred at Cawnpore, directed against the plague regulations. They were found on inquiry to have been deliberately planned, and seven of the ringleaders suffered the penalty of death.

At the end of the nineteenth century there was a marked improvement in the financial condition of India. The closing of the mints to the free coinage of silver began to show its effects, and the depression due to unstable exchange was relieved. From 1899 Indian budgets, instead of a dreary series of deficits, began to reveal handsome surpluses. It was therefore determined to carry to its logical conclusion the policy initiated in 1893. A commission at the India Office, appointed in May 1898, after an exhaustive examination of the question, reported in favour of making the British sovereign legal tender in India at the value of fifteen rupees, and an Act carrying the reform was passed in September 1899. Gold began to flow into India; the profits of the coinage of silver were set apart as a gold reserve fund, and by the time Lord Curzon laid down his office it amounted to about £9,000,000.

There are so many disturbing factors to be taken into account that monetary problems of this nature may not lightly be made the subject of confident assertion, but expert opinion seems generally agreed that (disregarding the entirely abnormal conditions brought about by the great war) the reform has had good practical results, and the lugubrious forecasts of those who opposed the closing of the mints appear not to have been realized. At the same time it is not easy in theory to justify the existing position in India. While gold is the standard of value, silver is still legal tender for sums of any amount, even though its intrinsic worth falls far below its exchange value, and no gold coinage has yet been issued by the Indian mints. The improvement in the finances made it possible to alleviate the distress of the population after the terrible famine of 1899-1900 by granting considerable remissions of taxation. In 1902 the provinces

that had suffered most received back a million and a quarter of the land revenue, and within the next two years the salt tax was brought down to a lower point than it had reached since the Mutiny. One other fiscal measure of Lord Curzon's time deserves mention. The financial settlement as between the imperial and provincial government adopted by Lord Mayo was revised, the quinquennial system was abolished, and the arrangement made permanent.

Internally Lord Curzon's period of office, was made especially notable for a drastic overhauling of the whole machinery of administration. The Viceroy himself claimed that 'abuses had been swept away, anomalies remedied, the pace quickened and standards raised'. Certainly many departments of government were submitted to searching tests. The method adopted was a preliminary investigation conducted by a committee, followed by legislation carrying out the main recommendations of their report. Lord Curzon found a new use for an old administrative weapon: commissions were utilized not, as was so often the case in the past, to shelve inconvenient questions, but to survey the ground and clear the way for vigorous action. Changing circumstances and the lapse of time had made the traditional methods of the civil service sometimes ineffective and antiquated, sometimes actually mischievous. But the process of reform, however salutary, was not always popular. A few errors were inevitably made, some susceptibilities were ruffled, and many vested interests disturbed. Yet on the whole the results obtained were valuable and the necessity of the reforming process has now been generally recognized. One of the least admirable parts of the administration was the police service, largely staffed in its subordinate, branches, and almost entirely manned, by Indians. The commission that inquired into its condition was highly condemnatory, declaring it to be 'far from efficient...defective in training and organization...inadequately supervised...and generally regarded as corrupt and oppressive'. So severe indeed were

the strictures of the commissioners that though the report was signed in 1903 it was withheld from publication till 1905. In that year a reform of the service was inaugurated and some important changes for the better were introduced, but it is still widely recognized that the Indian police system is far from satisfactory.

An important series of measures dealt with the ever-present problem of the land revenue, which is, naturally enough, from time to time subjected to searching criticism by the opponents of the government of India. The extreme presentment of the opposition case, as we have already indicated in Chapter I, is that the frequent occurrence of famine in recent times is due less to the failure of the rains than to the demands of the government upon the ryots, which leave them impoverished and resourceless in 'time of drought. No impartial or responsible judge can accept so exaggerated a statement. Lord Curzon's government, in the famous resolution on land revenue policy of 1902, pointed out that within seven years drought had inflicted; upon the Central Provinces alone a financial loss equal to the whole land revenue for fifty years, so that no remissions could have made any appreciable difference; that though in recent years assessments have steadily 'diminished, a cycle of unfavourable seasons has resulted in an, increasing number of famines, and that drought and scarcity have sometimes slightly affected highly assessed lands while. They have fallen with devastating severity on districts more leniently treated. But not all the opponents of the Indian government commit themselves to such an extreme position, nor must we imagine that the easy refutation of the charge that land revenue causes famine exonerates the administration from all temperate criticism. There were undoubtedly plenty of defects to deplore and errors to amend Land revenue administration, like most other government activities, tends to become too formal and mechanical in operation. In some provinces revenue has been rigorously collected, in the past,

though cultivators were impoverished. Settlement officers are naturally prone, as zealous state servants, to raise assessments, if they can, to benefit state revenues. Local governments have sometimes raised the settlement of their own officers. No impartial judge could deny that cases have occurred of serious over-assessment and a too rigid collection of government imposts.

In December 1900 eleven retired Indian civilians possessing records of distinguished service, of whom ten were British and one Indian, addressed a memorial to Lord George Hamilton, the Secretary of State. They quoted with approval the following words of Lord Salisbury written in 1875, 'So far as it is possible to change the Indian fiscal system, it is desirable that the cultivator should pay a smaller proportion of the whole national charge. It is not in itself a thrifty policy to draw the mass of revenue from the rural districts, where capital is scarce, sparing the towns, where it is often redundant and runs to waste and luxury. Their suggestions were (i) That where land revenue is levied directly from the cultivators the demand should not exceed one-half of their net profit after disbursing the cost of cultivation; (ii) where it is derived from the landlords, it should not exceed one-half of the rental; (iii) that settlements should be for thirty years; (iv) that the only ground for enhancement in the cultivator's assessment should be increased value of the land due either to government irrigation works or a rise in prices; (v) that local taxation on land should in no case exceed a further ten per cent. To this memorial and to criticisms that appeared elsewhere the Indian government replied in the Land Resolution of January 16, 1902, part of which has been quoted above, admitting that the question was 'one of the highest national importance, transcending the sphere of party or sectional controversy'. In dealing with the memorial, the weakest part of the government's answer was their attempt to meet the first two demands, which were moderate enough and might

well have been conceded. Lord Curzon and his advisers declined to make any definite rule on the subject, though they showed that there was a growing tendency for the state share of the produce, both in the case of the cultivator and the landlord, to approximate to the fifty per cent line and in some cases to fall below it. The reply to the third point was practically a cautious promise to do away in due course with shorter terms of settlement than thirty years. The fourth proposal was not approved. The reply to the fifth was the assertion that the limit of ten per cent suggested was in fact nowhere exceeded.

Altogether the government went a considerable way to meet the memorialists, and this is plainly shown in the words of Mr. R.C. Dutt, the Indian representative, who thus summed up his view of the Resolution: 'Lord Curzon has approached the subject with a statesmanlike conviction of its importance. He has virtually affirmed the principle which we urged, that in temporarily settled estates held by landlords, the government revenue should generally be limited to one-half the actual rental. He has given us hopes that the rule of thirty years settlements, which we urged, will be extended to the Punjab and the Central Provinces, and he has also given us hopes that the pressure of local cesses will be mitigated. If to all this his Excellency had added some clear and workable limits to the government demand in *Ryotwari* tracts, and defined some intelligible and equitable grounds for enhancement of revenue in such tracts, the government Resolution would have given to millions of cultivators the assurance and protection they need so much.'

The Land Resolution promised that the government would make a further advance in the direction of 'the progressive and graduated imposition of large enhancements' when they were justified, for they recognized that cases had occurred when 'a reduction of revenue was not granted till the troubles of the people had been aggravated by their

efforts to provide the full fixed demand'. The new land policy was also to aim at greater elasticity in the revenue collection and a more general resort to reduction of assessment in cases of local deterioration.

To sum up, Lord Curzon endeavoured to remedy the abuses of the land revenue and ameliorate the whole condition of the Indian peasantry in four ways. He had already in 1900 passed the Punjab Land Alienation Act to free cultivators of the soil from eviction at the hands of moneylenders to whom they may have mortgaged their estates. Lands of an hereditary cultivator cannot henceforward be sold in execution of a decree. This Act is said to have saved the cultivators of the Punjab from wholesale alienation of their land, but to orthodox economists such a measure must appear both wrong in principle and likely to prove hazardous in operation; indeed its ultimate effects may turn out to be the very reverse of what was intended. Lord Curzon's other measures were less open to criticism. As we have seen, the Land Resolution of 1902 ordered that if the revenue were largely increased by a settlement it should be graduated, and, in the further Suspensions and Remissions Resolution of 1905, rules were laid down that the government demand should vary according to the character of the season. In the third place co-operative credit societies were founded to provide cultivators with capital at a low rate of interest, and finally an Inspector-General of Agriculture was appointed, and an Imperial Agricultural Department with a research institute, laboratories, and experimental farms, was founded to encourage the application of scientific methods to Indian tillage.

In the army while Lord Kitchener was Commander-in-Chief the native regiments were re-armed, better guns were supplied to the artillery, and the whole transport service was reorganized. In 1901 the Imperial Cadet Corps was founded, consisting of young men of princely and noble families. The services of the Indian army were at this time employed for

wider duties than the protection of India itself. Indians were employed against the Boxer insurgents in China and against the Mullah in Somaliland; while in South Africa troops from India helped to hold Ladysmith and to save Natal.

Largely increased expenditure was authorized on railways, and about six thousand miles of new lines were constructed. In regard to his irrigation policy it has been said of Lord Curzon that 'he only carried on...what others had done before him; but the special merit of his labours lay in the fact that he systematized the whole enterprise; prepared a clear and final programme which represented the utmost possible extension of the Indian irrigation system, arranged for its finance and for its steady prosecution, and incidentally silenced the foolish criticism which had been propagated without a check for years'.

A new department of Commerce and Industry was established, presided over by a sixth member of the Viceroy's council. Lord Curzon's other activities included measures 'for preserving ancient buildings and monuments in India, and an attempt to put some check upon the elaborate system of minute and report writing, which he described as the most perfect and pernicious' in the world.

Lastly the thorny question of education was investigated by a commission which, perhaps unfortunately, contained no Indian representative, and only one non-official member. Its report on the condition of Indian education, though cautiously worded, was on the whole disappointing. The theory of the pioneers in 1854 had been that education administered to the upper classes through the universities would 'filter down' to the lower social strata of the population. The commissioners considered that this sanguine hope had been largely falsified. Nor indeed could it be considered surprising if it were so. Even in western countries we know only too well how hard it is to maintain a high ideal of education, and how dissatisfied most nations are to-day with systems once considered, humanly speaking, near perfection. A university

degree—designed to be a test of culture—was undoubtedly often looked upon by the clever quick-witted Bengali merely as an open sesame to a post in the Provincial Civil Service. But perhaps it is only fair to point out that many of those who pass this criticism seem to forget that a similar use of academic success for professional reasons is not entirely unknown even in this fortunate country, Indian universities were mere examining boards; they had tended to free themselves from state control, and they encouraged a system of 'cramming' which often produced the most lamentable effects when brought to bear upon the impressionable minds and imitative capacities of eastern peoples. The system of higher education in India, says an able critic, was 'mechanical, lifeless, perverted', and Lord Curzon himself declared with a great deal of truth, 'it has taught the people of India the catchwords of western civilization without inspiring them with its spirit or inculcating its sobriety'. Accordingly in 1904 the governing bodies of the universities were reorganized in the hope that they might be converted from mere examining boards to training institutions, and that the teaching staff, now given more power and scope, might work less with the purpose of mechanically turning out large numbers of graduates and more with the aim of establishing a sound system of education. But the changes were very unpopular with the Indian Reform party, "who believed that they were made with the idea of undermining their influence. It is to a certain extent true to say that up to this time the party had supported Lord Curzon, but that they now turned against him. Indeed, first of all the education problem and secondly the Partition of Bengal revealed a fundamental divergence in the standpoints of the Viceroy and the *Intelligentsia*. Lord Curzon's aim was practical social reform, sound administration, and, above all, 'efficiency' in method. He was impatient—perhaps sometimes too impatient—of incompetency and delay; he was loath to exchange counsels of perfection for a second best accommodated to the prejudices of the ruled. The interest of

the National Congress Party was the fascinating pursuit of constitutional experiment, the application to Indian politics of all those western democratic creeds and party cries which they had so eagerly assimilated. The estrangement between the Viceroy and the Nationalist Party was the more to be regretted in that Lord Curzon undoubtedly had the welfare of the people at heart. It is only fair to record here that from the first he sternly set his face against any attempt to condone oppression or insulting treatment of Indians by men of European birth, and was ready in this cause to Jeopardize his popularity with the army, or the non-official British residents in India.

On New Year's Day, 1903 Lord Curzon proclaimed King Edward VII Emperor of India at the Coronation Durbar held at Delhi, a pageant which in splendour, surpassed even that of 1877. In April 1904 Lord Curzon, having served the normal period of the Viceregal office, was reappointed for a further term and sailed to England for a few months' rest, Lord Amptill, the Governor of Madras, holding the reins of office during his absence. In December 1904 Lord Curzon returned to deal with two great problems which brought his extended period of office to an abrupt close amid heated controversies and embittered criticisms.

The first problem was the Partition of Bengal. There had long been a pressing need to lighten the duties of the Lieutenant-Governor of Bengal, his charge having grown to be a burden beyond the capabilities of any single man to bear. The population of the province was seventy-eight millions, almost twice that of the United Kingdom. One result of the impossible pressure of work upon the Lieutenant-Governor had been the unavoidable isolation of the districts of the province that lay east of the Ganges. That part of Bengal had been sadly neglected and formed a stagnant backwater in relation to the broad well-channelled river of British administration. The peasants suffered from the exactions of absentee landlords, and the police system was even worse

than in other parts of India. Internal communications, in a country interlaced with broad estuaries, were bad, and a recent commission of inquiry had revealed an appalling condition of habitual outrage and undetected crime in the more remote districts, so that 'life and property on the rivers was unsafe to a degree which could not be tolerated by the government of any civilized country'.

There was abundant historical precedent for subdividing the province. The original Presidency of Fort William in Bengal had been lightened by the creation of the North-West Provinces in 1865 (since 1901 the United Provinces of Agra and Oudh) and by the placing of Assam under a separate High Commissioner in 1874. The Indian government now made up its mind that the time, had come for a further partition of the province. There was no undue haste, as has been sometimes alleged, nor any particularly high-handed procedure. The policy was fully deliberated, many alternative schemes were considered, and the plans were modified from time to time in accordance with criticism from outside. Finally a new province of Eastern Bengal and Assam was constituted by amalgamating Assam and Chittagong with fifteen districts of old Bengal. The new province had an area of about 106,000 square miles and a population of about 31,000,000.

Before the reform was completed a fierce popular agitation flared out against the proposed change. The feeling aroused as no doubt partly genuine, but largely based upon a misunderstanding of the point at issue. But there can be no possible doubt, on an impartial view of the evidence, that the agitation was adroitly manipulated, often by questionable methods, by the literary and legal classes, whose vested interests in the Indian Press and the Calcutta Bar were considered to be threatened by the change. To pass so much of censure on the outcry does not of course imply for a moment, as is sometimes hastily assumed, that Indians are necessarily from their national

character unfit for democratic government, or at any rate that they are more unfit than European peoples. Our own history affords abundant examples—for instance, Walpole's excise scheme in 1733—of salutary measures prevented by factious popular clamour. Everywhere in the world political agitations tend to assume in a free atmosphere an element of grotesque extravagance, and under western as well as under eastern skies the dry light of reason pales before the lurid glow of controversy and the storm-shot clouds of prejudice and party passion. To the government the Partition of Bengal was, in Lord Curzon's words, 'a mere readjustment of administration boundaries', proposed with a view to the more efficient working of the imperial machine. To excited popular orators in Calcutta it meant the partition of a nation, an attempt to divide a homogeneous people, a deliberate and sinister attack upon the traditions, history, and even the language of the Bengalis. Not, of course, that all the opposition was attuned to his extravagant key. The more moderate party, supported by a section of Liberalism in England and a minority of the civil service, argued that, whatever the abstract merits of the scheme, it should have been abandoned when it was found to be repugnant to national sentiment. They did not, for that was clearly impossible, deny the need of some change. The solution they put forward was that Bengal, like Madras and Bombay, should be ruled by a Governor assisted by an executive council. Historically there was much to be said for this contention; the Charter Acts of 1833 and 1853 had actually authorized such a government, and the Act of 1853 had merely legalized the appointment of Lieutenant-Governors 'unless and until' this change could conveniently be made.

But their solution found no favour with the government, which replied that the Councils in Bombay and Madras were not designed to relieve the Governors of those presidencies of their work, but to supply the want of special Indian knowledge in distinguished public men appointed from

outside the ranks of the civil service. Bengal, a province where there were many varieties of race and many problems which required firm handling and expert knowledge, was best controlled by a Lieutenant-Governor who had risen through every grade of the Indian administration. An executive council would only tie his hands and divide responsibility. Lord Curzon, in short, wished to weaken the executive as little as possible, while his opponents were eager to experiment in decentralization. But the Viceroy, unlike Walpole, was determined not to yield to popular clamour, which he believed to be partly unscrupulous and partly misinformed, and the partition was carried through in 1905. Was he wrong? Taking all the facts into consideration, I cannot think so. There seems little ground for supposing that the storm of opposition, which sprang up as suddenly, as a squall upon landlocked waters, could have been foreseen. The Government was committed too far to draw back when the first indications of the hurricane were descried. Nothing is more fatal to a government than to create the impression that it will always yield to pressure. By doing so, it wins neither the gratitude of its opponents nor peace for itself. You cannot conduct a successful administration by a policy of continually selling the pass. Measures advanced to a certain stage must be carried through, or their authors stand forth as bankrupt in credit and prospects.

The second problem, which brought about Lord Curzon's retirement, was a disagreement with Lord Kitchener on the question of military administration. The matter in dispute is technical and difficult to explain, but a summary of it must be attempted. The existing system was as follows: The executive head of the army in India was the Commander-in-Chief, who could be, and in practice always was, appointed an extraordinary member of the Viceroy's council. There was, besides, an army administrative department in charge of an ordinary member of council, which kept closely in touch with the supreme government to an extent impossible to

the Commander-in-Chief engaged in his manifold executive duties. This member of council was a soldier, but was not allowed during his term of office to hold any army command. He was the constitutional adviser of the Viceroy in military matters, and it was one of his duties to transmit to the Governor-General, with his own criticisms, all proposals, on army, administration made by the Commander-in-Chief. Lord Kitchener, who carried through in the military sphere much the same sort of salutary and drastic reforms as Lord Curzon himself achieved in civil government, who had moreover up till now received the Viceroy's cordial support, strongly objected to this rather cumbrous departmental machinery. It was, he declared, productive of 'enormous delay and endless discussion'. He advocated the creation of a single army department of which the Commander-in-Chief should be the head, and to which the whole business of military administration should be transferred. To this suggestion Lord Curzon and the rest of the council were unanimously opposed, holding that it would 'concentrate military authority in the hands of the Commander-in-Chief and subvert the supremacy of the civil power by depriving it of independent military advice'.

There seems on the face of it some reason for Lord Kitchener's dissatisfaction. Though the ordinary member of council of the time, Sir Edmond Elles, strongly dissented from Lord Kitchener's strictures, some delay and dislocation calculated to chafe an able and determined Commander-in-Chief must have been inevitable in the transmission of business through so complicated a system. Lord Kitchener maintained that in his suggested plan the supremacy of the civil power was left untouched, for it would still be possible for the Viceroy to accept or reject any proposals submitted, but he demanded that the head of the supreme government should be brought into closer relations with the head of the army, and he considered it highly undesirable that the proposals of the Commander-in-Chief 'should be

criticized from a military point of view by the Military Member of Council, who must always necessarily be both junior in rank and inferior in military experience to the Commander-in-Chief.

Lord Curzon's answer to this in effect was that, unless he had some competent military authority to advise him, it would be difficult in practice for a civilian Viceroy to oppose a strong-willed Commander-in-Chief, and therefore a civil power would be too dependent on the head of the army. He pointed out also that the question was not entirely new—it had been considered before by Viceroys and Commanders-in-Chief in the past, but the experience of forty years, after periodical examinations of the problem, had always ended by deciding to retain the old system. Official opinion in India was almost entirely with Lord Curzon.

Such was the problem—a deadlock between high authors ties in India—which the home government was called upon to solve. It seems, perhaps, obvious that the most satisfactory course would have been to come down decisively on one side or the other. But the Unionist government was now within sight of the breakers of dissolution; it was generally supposed, with some reason, that they were not anxious to go to the country with the resignation either of a brilliant Governor-General or a great and popular soldier upon their hands. They therefore attempted a compromise which was not very happily inspired. It barely satisfied Lord Kitchener, appeared to Lord Curzon merely to veil a surrender to his rival, and certainly seems to the plain man to diffuse darkness rather than light over a situation already sufficiently obscure. The Cabinet's solution was that the Commander-in-Chief should exclusively control the strictly military departments of army administration, and should alone have the right to speak in the Governor-General's council as an expert on military problems, but that subsidiary departments, not purely military, should be left in charge of another member of council known as the

Military Supply Member. It was suggested that Sir Edmond Eiles, as connected with the old system, should retire, and that Lord Curzon should propose another officer to be his successor, with the curtailed powers henceforward allotted to the office. Mr. Brodrick, the Secretary of State, was able to announce to the House of Commons that the compromise was accepted by both parties. But unhappily it soon became clear that Lord Curzon and Lord Kitchener, as was not perhaps altogether surprising, understood different things by the government's dispatch. Lord Curzon proposed Sir Edmund; Barrow, but the home government declined his nomination for reasons that seemed sound in themselves and were entirely creditable to that distinguished officer. Mr. Brodrick then suggested, not very tactfully, that Lord Curzon should consult Lord Kitchener as to the officer to be selected. The dispatch was so unhappily worded that Lord Ripon—an impartial witness, as standing in Indian policy poles asunder from Lord Curzon—declared in the House of Lords that no such dispatch had been addressed to the Government of India since Lord Ellenborough sent to Lord Canning his famous letter on the affairs of Oudh. Lord Curzon, convinced now that the government were not prepared to allow him the kind of military adviser he desired, resigned his office in August 1905. The Cabinet asked him to withdraw his resignation, but he declined to do so.

Lord Curzon was succeeded by Lord Minto, the great-grandson of the first earl, who was Governor-General from 1807 to 1813. The new Viceroy had fought in Afghanistan under Lord Roberts in 1878 and had been Governor-General of Canada from 1898 to 1904.

It is no doubt too early yet to anticipate by conjecture Lord Curzon's final place in history. The present writer has not refrained from criticism where to the best of his judgement criticism seemed to be called for. Many judges, whose opinion is worthy of all respect, would carry that

criticism much farther. It is probable enough that much of the unrest in India was due to the all-pervading rather restless energy of his ardent spirit, just as Lord Dalhousie's great governor-generalship had assuredly something to do with the cataclysm of the Mutiny. It is indeed an arguable position that the most successful rulers of men are those sedate, clear-eyed, disillusioned characters like Lord Northbrook or Lord Dufferin, who are content to guide circumspectly the ship of state, who distrust heroic policies, and do not believe that it is either desirable or possible for one man to mould to his will such a colossal organism as that of the imperial government of India. But as long as personal force, initiative, will, and eloquence are valued in politics, Lord Curzon will always stand out as a great figure. No man could set forth in more stately language the best aspect of Great Britain's rule in the East. 'I am not one of those', he said, 'who think that we have built a mere fragile plank between the East and the West which the roaring tides of Asia will presently sweep away...as the years roll by, the call seems to me more clear, the duty more imperative, the work more majestic, the goal more sublime... To me the message is carved in granite, it is hewn out of the rock of doom—that our work is righteous and that it shall endure.' And so while men may legitimately differ as to Lord Curzon's statesmanship and as to the ultimate effect of his general policy upon the destinies of the people he was called upon to govern, there can hardly be any question as to the high ideals that inspired him, or of the devotion to duty which, in the teeth of much ill-health, domestic sorrow, and physical pain, drove him on to the end of his course. His final speech in India, which ended with one of the noblest passages in modern oratory, summed up his conception of the Englishman's task in India. A hundred times in India have I said to myself, Oh that to every Englishman in this country, as he ends his work, might be truthfully applied the phrase: "Thou hast loved righteousness and hated iniquity." No man has, I believe, ever served India faithfully of whom

that could not be said. All other triumphs are tinsel and sham. Perhaps there are few of us whom make anything but a poor approximation to that ideal. But let it be our ideal all the same. To fight for the right, to abhor the imperfect, the unjust, or the mean, to swerve neither to the right hand nor to the left, to care nothing for flattery or applause, or odium or abuse—it is so easy to have any of them in India—never to let your enthusiasm be soured or your courage grow dim, but to remember that the Almighty has placed your hand on the greatest of His ploughs, in whose furrow the nations of the future are germinating and taking shape, to drive the blade a little forward in your tie, and to feel that somewhere among these millions you have left a little justice or happiness or prosperity, a sense of manliness or moral dignity, a spring of patriotism, a dawn of intellectual enlightenment, or a stirring of duty, where it did not before exist—that is enough, that is the Englishman's justification in India. It is enough for his watchword while he is here, for his epitaph when he is gone. I have worked for no other aim. Let India be my judge.

These proud and noble words formed the fitting conclusion to a great viceroyalty. They are valid as an *apologia* not only at the bar of Indian public opinion but before the higher court of the world and of time. Whatever errors, whatever failures—and both error and failure are inseparable from human agency—critics may detect in his six years of office, it cannot be doubted that when the cloud-belts of contemporary detraction have cleared away, Lord Curzon's name will stand amongst the foremost of those that make up the illustrious roll of the Governors-General of India.

Coronation Durbar

Lord Minto succeeded by Sir Charles Hardinge, Permanent Under-Secretary for Foreign Affairs, who, on his elevation to the peerage, took the title of Lord Hardinge of Perishurst. In his period of office still further changes took place in the political state of Tibet owing to the outbreak of the revolution in China. In 1911 the Chinese garrison, deprived of all pay and supplies from Peking, mutinied, plundered the treasury in Lhasa, and were finally expelled by the Tibetans. The Dalai Lama seized the opportunity to return to his capital after two years of exile. He entered into an understanding with the Chinese Resident that the latter should continue to reside in Lhasa, attended only by a bodyguard for his personal protection, and that he should no longer claim power over the general administration. Upon this fresh decree was issued at Peking restoring to the Lama all his old powers and privileges. In 1912 there were constant rumours that China was making preparations to reconquer the country. The British government made it clear to the Chinese authorities that, though they were willing to acknowledge the suzerainty of China over Tibet, they would strongly oppose the reduction of the country to the position of a mere province of the Chinese empire. A settlement of the question was made in 1913 and 1914 by a conference of Tibetan and Chinese delegates at Shimla and Delhi, under the presidency of the Foreign Secretary to the government of India. The strange story of our dealings with Tibet and

its ruler ends with the offer of the Dalai Lama to send us assistance in the Great War of 1914.

In Lord Hardinge's viceroyalty a delicate and difficult question of imperial politics came to the forefront, namely the attitude of the self-governing Colonies, and especially South Africa, towards Indian immigration. Asiatics were not welcomed in South Africa, and in 1913 the Union government passed a law limiting the facilities for immigration, and prohibiting them from trading, farming, or holding real property in the Orange Free State. The act naturally caused the deepest indignation in India; 'the people', says Sir Charles Roe, 'could not understand why the civil and political rights enjoyed by them so fully in India and in England should be denied to them in other parts of the empire, or why the government they had been accustomed to regard as all-powerful should tolerate a policy so opposed to its own principles. They could hardly be expected to realize how delicate and difficult is the task of interfering even by suggestion in the action of the self-governing colonies.' In South Africa the Indian coolies adopted a policy of passive resistance. About 2,500 under the leadership of Mr. Gandhi marched into the Transvaal from Natal to assert their right to go from one province to another. Gandhi and other leaders were arrested. Strikes occurred in various parts of the country accompanied by some loss of life in collision with the military. Lord Hardinge won great popularity for the Indian government, but added something to the embarrassment of the Imperial Cabinet, by a strong speech at Madras in criticism of the South African Ministry. He protested against the position of Indians in South Africa, showed his sympathy for the passive resistance movement, and censured the Immigration Act as 'invidious and unjust'. He declared that the Union Government of South Africa could only justify itself in the eyes of the world by appointing a Committee of Inquiry and allowing Indians to take part in it. Constitutional purists pointed out with some force that the imperial government was properly the only channel of

communication between the different governments of the Empire, but the speech, notwithstanding much criticism, produced the desired effect. The South African government in the end appointed a commission, the Indian leaders were released from prison to prepare their case, and though at first they were inclined to boycott the commission, they ultimately appeared before it. An Act was passed, which, though it did not entirely satisfy Indian aspirations, was pronounced by Mr. Gandhi to be the Magna Carta of Indian liberty in South Africa.

South Africa at least admitted Asiatics under restrictions however hard. Canada and British Columbia declined to receive them at all. Certain Indian leaders, as a kind of concrete protest, chartered the steamship *Komagata Maru* to convey three hundred Indians, mostly Sikhs, to Vancouver. They were not allowed to enter the colony and were obliged after some trouble to return to Calcutta, where there was an unfortunate collision with the police on their disembarkation.

In May 1910 King George V, on the death of Edward VII, had succeeded to the throne of Great Britain. The Coronation in Westminster Abbey took place on June 22, 1911. The King had determined on the advice of his ministers to create an entirely new precedent by proceeding himself with the Queen to India at the close of the year, in order to preside at a great Coronation Durbar, and receive in person the homage both of the great officials of State and the protected Princes of the Indian Empire. In the absence of His Majesty four 'Counsellors of State' were appointed to transact the formal business of the throne, namely Prince Arthur of Connaught, the Archbishop of Canterbury, the Lord Chancellor, and the Lord President of the Council, who happened at that time to be Lord Morley of Blackburn. All matters of high importance were communicated to the King daily by telegraph. As the King's suite included the Marquess of Crewe, the Secretary of State for India, the extraordinary spectacle was presented of the King-

Emperor, the head of the India Office, and the occupant of the viceregal throne being all on Indian soil together. The grand Durbar was held at Delhi on December 12 before a vast assembly of about 80,000 people. Certain imperial boons were announced including grants of land, a month's extra pay for soldiers and subordinate civil servants, the allotment of fifty lacs of rupees for the education of the people, and the declaration of the eligibility of Indians for the Victoria Cross. Then followed the announcement of changes of far greater magnitude, the secret of which had been extraordinarily well kept. These were the transference of the capital of India from Calcutta to Delhi, the creation of a Governor-in-Council for Bengal—a change associated with the reunion of Eastern Bengal with the old province, the creation of a new Lieutenant-Governorship of Bihar, Orissa, and Chota Nagpur, and the reduction of Assam once more to a Chief-Commissionership. These changes were striking and dramatic. The transfer of the capital had no doubt many theoretical and logical advantages; it was defended by the government on the ground that the consolidation of British rule in India and the development of the railway system made it no longer necessary for the seat of government to be upon the sea-board. The Viceroy henceforward would be increasingly concerned with matters of purely imperial interest, and the subordinate provincial governorships would become more autonomous in their administration. Delhi from its central position, and its historical associations was obviously the best fitted city in India for the capital of a quasi-federal empire. The reunion of Bengal was said to be 'not a reversal of the partition but a rearrangement after experience' — a statement hardly consistent with the facts. The appointment of a Governor of Bengal, as we have seen, had long been a favourite notion with the advanced Indian party.

These political experiments were naturally submitted to criticism, and first of all the method of initiating them was called in question. The changes were ultimately to be

enacted by Act of Parliament, but as their announcement had been put in the mouth of the King-Emperor speaking *ex cathedra* from his Indian throne, it was impossible for Parliament to go back upon them without fatally damaging the prestige of the Crown. The widely-held view that they should have been first submitted, to Parliament was not unreasonable. If such momentous reforms could be carried by the executive on its own authority, it would be difficult to imagine any circumstances in which the legislature would have to be consulted. That this enhancement of the Prerogative was the work of a Liberal government, normally supposed to be jealous of any encroachment on Parliamentary privileges, only added to the embarrassment both of their supporters who were expected to acquiesce, and their opponents who would gladly have demurred. Economists objected to the cost of transforming Delhi into, a capital adequate to the rather exacting needs of the imperial government. The expenditure was originally forecasted as £4,000,000, but revised estimates revealed the fact that the sum would probably amount to half as much again. To dethrone a great capital city is an invidious task. Round Calcutta had gathered all the most hallowed traditions of British India since the days of Job Charnock, and our national prejudices are little in sympathy with such dramatic strokes of constitutional experiment. It was held by many that the trouble aroused by the Partition had subsided, that it was a grave error to reopen the question, and finally that the government had made a concession to the agitators—always a doubtful policy—and what was worse, had gone out of their way to do so when such a step was in no sense necessary.

The outbreak of the European war in August 1914 revealed a deep and splendid loyalty to the British empire on the part of the princes and peoples of India, and although in the preceding year, during the Balkan war, the Moslem leaders had declared that Great Britain was committing a serious blunder in leaving Turkey to her fate, their loyalty

to their suzerain did not quail even when Germany dragged the Porte into her alliance. Indian troops fought side by side with those of the self-governing colonies on the battlefields of France, Flanders, Macedonia, Egypt, Palestine, and Mesopotamia. To the events of that world-wide conflict we cannot refer here. They are too recent, and too much obscured by controversy to be the fit subject of historical treatment. We can only briefly chronicle some of the political results which followed from the war, and indicate in outline the tremendous changes that are impending over the whole constitution of our Eastern empire. The supreme issues involved in the struggle dwarfed many questions that had aroused implacable passions in the past. One subordinate result of the war was the removal of the old Indian grievance (so often referred to in these pages) of the cotton duties, because, owing to the exigencies of war finance, the import duties on cotton goods were raised to the general level of seven and a half per cent, *ad valorem*, without any enhancement of the countervailing duty on the product of Indian mills. Protests from Manchester were not indeed wanting, but they went unregarded in the clash of arms. More important was the place allotted to India in the councils of the confederated and embattled empire. Two Indian representatives, the Maharaja of Bikanir and Sir Satyendra Sinha, took part together with Sir James Meston in the imperial war conference in London in the spring of 1917 and afterwards in the Peace Conference. In the reconstruction of the coalition government following the general election of 1918 Sir Satyendra Sinha was made Under-Secretary for India and elevated to the peerage under the title of Lord Sinha of Raipur.

These results, striking as they are, fall into insignificance when compared with other changes. On August 20, 1917, Mr. E. S. Montagu, the Secretary of State, made the most momentous announcement of British policy since the passing of India under the control of the Crown. He enunciated four principles for future guidance. The first was 'the increasing

association of Indians in every branch of the administration'. The second, 'the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire'. The third laid it down 'that progress in this policy can only be achieved by successive stages', and the fourth, that the Home government in conjunction with the government of India 'on whom the responsibility lies for the welfare and advancement of the Indian people, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those on whom new opportunities of service will be thus conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility'.

The difficulties in practice of implementing this declaration were very great. It involved the most extensive scheme of decentralization and devolution ever attempted, affecting as it did an empire with a population of over three hundred millions. This colossal task had to be undertaken in the last stages of world-wide war, while it was still doubtful whether a cataclysmic defeat could be avoided. The details of measures had to be worked out between departments of an executive separated by thousands of miles of land and sea. Unprecedented measures were employed. The Secretary of State proceeded to India to consult with Lord Chelmsford, who had succeeded Lord Hardinge as Governor-General in 1916. On his return a voluminous report was published, making proposals for reform. It was, for a government document, unconventionally philosophic in matter and picturesque in style, and was not to the taste of those accustomed to the neutral tone and matter-of-fact style of British state papers, nor, in spite of its eloquence and sincerity, can it be denied that, it seemed to distil a certain ethical and political unction.

After an analysis of failures in the past, the report advised that the legislatures should be granted responsibil-

ity:— 'they must have real work to do: and they must have real people to call them to account for their doing of it.' This of course implied a concession of the power to govern badly together with the duty of governing well, and the authors of the report squarely faced that fact:— 'We believe that nationhood within the Empire represents something better than anything India has hitherto attained; that the placid, pathetic contentment of the masses is not the soil on which such Indian nationhood will grow, and that in deliberately disturbing it, we are working for her highest good.' Criticism was invited, though it would clearly not be very acceptable if it assailed the main conclusions of the report.

Two committees under the chairmanship of Lord Southborough were sent to India to demarcate electorates and settle the lines of division between the 'reserved' and 'transferred' subject, of which more anon. A Bill then drafted and was submitted, together with the reports of the two committees, to a joint committee of Lords and Commons presided over by Lord Selborne. This committee, perhaps somewhat cavalierly, rejected an alternative scheme put forward by a majority of the heads of the provincial governments in India, which, in the words of Sir Michael O'Dwyer, one of its chief promoters, aimed at the 'maintenance of a unitary government, the chief executive consisting of the governor, with an equal number of British and Indian colleagues, drawn respectively from the services and the elected assembly, and bound together by a joint responsibility to the Crown'.

The measure was passed in December 1919. The provisions, supplemented by regulations made under the Act, established the following constitution:—

In the provincial governments an executive was set up with two sections (unofficially styled dyarchy) connected only by the fact that the Governor presided over both. One consisted of two to four members of Council appointed by the Crown, half normally to be Indians; it was ultimately

responsible to the Secretary of State, and would handle certain matters called 'reserved subjects'. The other consisted of ministers appointed by the Governor from elected Indian members of the legislative Council and dealt with the 'transferred subjects'. The line of demarcation between reserved and transferred subjects was in effect that between the more and the less vital spheres of government:— 'The transferred subjects should be those departments which afford most opportunity for local knowledge and social service, those on which Indians have shown themselves to be keenly interested, those in which the mistakes that occur, though serious, would not be irremediable, and those which stand most in need of development.' Ministers in charge of the transferred subjects held positions analogous to those of members of the British Cabinet. They were appointed by the Governor, as the latter by the Crown, but they retained office only as long as they kept the confidence of the legislature and continued to be members of it. The line drawn between reserved and transferred subjects was no an arbitrary one; it was hoped that there would be a gradual transference of subjects from the first category to the second, until the distinction vanished and all departments were in the hands of ministers responsible to the legislatures.

The United Provinces, the Punjab, Bihar and Orissa, and later Burma (in 1923) and the North-West Frontier Province (in 1932) were each given a governor and council. The provincial legislative councils were largely increased, Bengal to 139 members, Madras to 127 and Bombay to 111. At least seventy per cent of the members were to be elected. Communal electorates were constituted for Muhammadans, the Sikhs in the Punjab, Europeans, Anglo-Indians, and Indian Christians. The councils were given power to vote, and withhold supplies, but the Governor had power to demand grants for reserved subjects if he certified that the expenditure was essential. After four years the councils had the right to elect their own president.

In the Supreme Government there was no diarchy, and the Governor-General was directly responsible to the Secretary of State and Parliament. The Executive Council was enlarged indefinitely. It was understood, though not actually ordered, that half should consist of men of Indian birth. The Indian legislature was entirely remodelled and made bi-cameral. The upper chamber, called the Council of State, was to be mainly a revising body. The majority of its 61 members were to be elected, so that the former official *bloc* no longer existed. The franchise was based on a high property qualification. The lower chamber, the Legislative Assembly, had 106 elected, and 40 nominated, members, of whom 25 were official. The franchise for the assembly was wider than for the council, and was granted to women. The period of the council was five, and of the assembly three, years. The Governor-General, in the event of a deadlock between the two houses, might summon a joint session. The assembly had a general control over finance, but the Governor-General could, at his discretion, authorize any expenditure which he considered essential for the safety or tranquillity of British India. In a similar way he was empowered, in the last resort, to ensure the passing of other bills as emergency measures.

After ten years, a commission was to be appointed by Parliament to inquire into the working of the constitution, and to report whether the degree of responsible government granted was to be extended, modified, or restricted. As soon as the royal consent was given, a proclamation established a Chamber of Princes (one of the unrealized dreams of Lord Lytton) as a deliberative and advisory body without executive authority, and granted an amnesty to political prisoners.

The general result of the legislative and executive reforms has been thus summed up by Dr. A. B. Keith:— "The Assembly...was made a more effective means of criticizing and holding the government within lines of action approved

by Indian feeling. The executive, however, remained wholly free from direct authority of the legislature.' It is noteworthy that the Bill was piloted through the House of Lords by an Indian, Lord Sinha. When it had passed, he returned to India to become Governor of Bihar and Orissa. After a breakdown in health he was appointed in 1926 to the judicial committee of the Privy Council in England. His death in 1928 was a great loss to the British *raj* and to the peoples of India. The list of the great offices he held both in his own country and at the centre of the empire is a measure of the vast distance India has travelled in political evolution during the last thirty years.

Many judges, whose opinions were deserving of the highest respect, strongly dissented from the policy of the Bill. But it must in fairness be admitted that by implication Great Britain had been committed, by the whole trend of her policy since 1858, to advance on some such lines, while, since the historic declaration of August 20, 1917, she has been so pledged unreservedly. The policy had been deliberately adopted by a coalition government composed of representatives of all the great parties in the state. It was not seriously challenged by any prominent statesman. The declaration owed its final form to the draftmanship of Lord Curzon, himself the greatest living representative of the passing 'benevolent' autocracy. 'To reverse that policy', wrote Sir Valentine Chirol, 'would be regarded, and reasonably regarded, in India, as a breach of faith which would do more to shake the foundations of British rule than would the worst consequences which its gloomiest critics foresee from persistence in it.' It was also widely felt that the generous and magnificent fidelity of the Indian peoples in the crisis of the Great War called for an equally generous trust from the suzerain power. But it would be folly to deny that the risks seemed to many to be and in fact were great. The dyarchy of the double executive was open to almost every theoretical objection that the armoury of political philosophy can supply.

The soil, too, for the sowing of the new seed was not altogether favourable. There were no doubt many thousands of loyal Indians prepared to give the new constitution a fair and honest trial, but there were also subversive forces working beneath the surface of society. The revelations of the Rowlatt Report, issued in July 1918, proved beyond possibility of civil the existence of a widespread and most dangerous revolutionary movement, which had originally been partly fostered and manipulated by men of extreme opinions living in France and the United States. Even the moderate progressive party were inclined, to regard the reforms as incomplete. Yet they definitely engrafted upon the Indian system that Parliamentary government which only nine years before so staunch a Liberal as Lord Morley had visualized as an ideal scarcely capable of realization till many generations had passed. 'We have now', he wrote, 'as it were before us in that vast congeries of peoples we call India, a long slow march in uneven stages through all the centuries from the fifth to the twentieth.' No country, to which such words were applicable could be an easy subject for experiments in democracy. Behind the comparatively small but fast-growing band of western-educated Indians with their clamant demands for the self-determination, which we had taught them to revere, stood the silent millions of untaught peasants, whose interests we quite rightly dreaded to endanger. Dyarchy was felt to be the least concession we could make to the *intelligentsia* class; yet as Sir Reginald Craddock wrote with considerable truth—it was all based on the assumption that a tiny novitiate of electors out of the vast masses, of illiterate India, bristling with its racial feuds, its religious antagonisms, its castes, its social exclusions, its babel of tongues, its fierce communal controversies, would start functioning in response to a system absolutely alien to them, in the same way that the experienced electors of educated England to-day respond to a system which the people have gradually developed for themselves in the course of many centuries'.

Morely-Minto Reforms, 1909

I

The Indian Councils Act of 1909, usually known as the Morley-Minto Reforms, was a constitutional measure of great importance. Though the changes embodied in it signified no new policy, yet they definitely represented a 'considerable advance on the previous system'. Besides, the Act marked the close of the first phase of Indian politics, and strengthened the desire of Indian nationalists for greater self-government. The posterior historians are of the view that if this instalment of reforms had come in 1905 (instead of 1909), it would have been universally hailed as a great political concession. And it would have been public on the part of Mr. Morley, if he had introduced the English Parliamentary system through his Reform scheme of 1909. For, never again did move favourable conditions prevail.

Circumstances Favouring its Enactment

The decade following the Indian Councils Act of 1892 was marked by an unusual economic depression and political agitation. It also constituted one of the worst periods of British Indian administration. The Indian nationalism, in consequence, assumed new dimensions. The subsequent developments in India and abroad gave it added strength and the extremist propaganda spread throughout the British dominion. The Government repression to check the

nationalist spirit further worsened the situation and gave birth to terrorism. The cumulative result of this agitation was the Morely-Minto Reforms of 1909, which Amery once described as the first response to the growing nationalist movement in India itself.

Dissatisfaction with the Act of 1892. The Indian Councils Act of 1892 did not satisfy the people in general and the extreme wing of the advanced party in particular. The legislative councils established under it were ridiculously small bodies. They could not claim to be the real representatives of the people nor did they possess anything of the modern legislatures. The rights given to them were extremely limited, and their Indian members had no share in the executive government. At their meetings a handful of officials and two or three complaisant Indian gentlemen sat round a table and read out manuscript speeches. The Indian National Congress expressed dissatisfaction with these 'limp councils' and asked for their immediate expansion. At its session in 1904 and again in 1906, it also made a demand for 'a larger and truly effective representation of the people in the councils and a larger control over the financial and executive administration.' The continued efforts of the Congressmen at last obliged the British authorities to offer in the Reforms of 1909 an answer to their demands and agitation.

Uncommon sufferings of the Indians. In the closing years of the 19th century, India was driven into a whirlpool of sufferings. Plague followed by famine, famine followed by plague, malaria, influenza, such was the story of India's woes between 1896 and 1900. Thousands of Indians were swept away by the famine that broke out in 1896-97. The plague that followed close on its heels proved more disastrous. The loss of lives ran into millions. The Government measures to combat the calamity proved too inadequate to save the dying Indians. To the havoc caused by the twin calamities was added the misery of the famine of 1899-1900. It affected

an area of 400,000 square miles and caused an uncommon mortality. Lord Curzon personally toured the affected areas and appealed for help both from inside and outside the Empire. The world opinion vehemently criticized the Indian Government and held it responsible for the misfortunes of the Indians. Bal Gangadhar Tilak also condemned the Government for its callous indifference. He was immediately imprisoned on the charge of inciting the Indians to violence. These sad happenings ultimately turned the Indians against the Government and paved a way for the emergence of militant nationalism.

Curzon's Viceroyalty (1898-1905). Lord Curzon's viceroyalty also gave a fillip to the prevailing unrest and indignation. His imperious nature, autocratic temperament and bureaucratic attitude widened the gulf between the ruled and the rulers. In the name of efficiency, he overhauled the whole Indian administration and imported men direct from England to fill up the highest ranks of civil employment. In spite of a strong protest of the Indians, he carried into law the Calcutta Municipal Act (1898) to hold up the progress of local self-government. He also enacted the Indian Universities Act of 1904. It aimed at checking the growth of the English-educated class, which was becoming increasingly more discontented with the Government. His Official Secrets Act (1904) was a clever device to restrict the liberty of the Indian Press. These measures of the Viceroy aroused uncommon and intense opposition and there spread in the country a storm of indignation. To make matters worse, Lord Curzon took in the Partition of Bengal (1905), another unfortunate administrative measure. And then, in spite of unanimous and persistent opposition, he refused to understand the real situation. His stubbornness at last cost him popularity; intelligentsia developed hatred for him and even Moderates were constrained to condemn his administration. All this, in consequence, increased discontentment against the government and reinforced the national agitation.

Thrilling developments outside India. In the early years of the 20th century, mere took place some very thrilling developments outside India. They not only infused a new spirit among the Indians but also strengthened their movement for self-government. The victory of Japan over Russia, in 1905, was of particular significance. It considerably changed the situation in India as well as Indians' outlook. It also aroused an uncommon enthusiasm among our countrymen. The news of this victory, wrote *The Bengalee*, was discussed not only by the educated classes but also by the masses. It was popularly interpreted as the victory of Asia over Europe, of the East over the West. It dispelled the false belief in the invincibility of the Western might and symbolised the regeneration of the East. It revived new hopes in die minds of the Indians. They could not but infer that India, with her by far more glorious past and rich heritage, could be as great a nation as any Asian power. It was also felt that imbued with the spirit of self-sacrifice and patriotism, the Indians could get rid of their callous British rulers.

The defeat of the Italians by the Abyssinians and the new national movements in Egypt, Persia and China also had a deep impact on the minds of the Indians. Dadabhai Naoroji in his presidential address at the Congress in 1906 pointedly remarked: "Indians cannot continue to remain subject to despotism, when China in the east and Persia in the west of Asia were waking up". He also pleaded for the grant of self-government to the Indians. Thus, the events outside India considerably enthused the Indians' aspirations and strengthened their case for constitutional concessions.

Humiliation of Indians abroad. The humiliating treatment meted out to Indians in South, Africa, England and Canada also had its repercussions on the Indian national movement. The Indians living in Africa were subjected to many intolerable discriminations. They were not allowed to build houses in areas specified for the Europeans. Their

children could not receive education in the first-rate schools over there. No Indian was allowed admission in some of the hotels and hospitals. Besides, they could neither travel in the first class compartments of the trains nor walk on the footpaths. They had to live among 'dung heaps' located outside the towns. Thus, the Indians in Africa did not enjoy even the ordinary human rights. In Natal and Transvaal, the Indians had to submit to the humiliating imposition of £3 Poll tax. Worse still, by the Asiatic Registration Act of 1907, the Indians in Transvaal were required to be registered by finger prints like criminals. This filled the cup of Indians' humiliation. It also brought home to them that their humiliation abroad was the inevitable consequence of their degradation at home. Need for the establishment of a national government in India was, therefore, bitterly felt. Bal Gangadhar Tilak popularised the slogan: 'A good foreign government is less desirable than an inferior national government'. A strong feeling to end the British rule from India rapidly spread in the country. In consequence, the idea of reforms in existing system found favour with the authorities.

Vigorous propaganda of the Extremists. The dissatisfaction with the British rule in India gave birth to the left wing in the Congress Party. Bal Gangadhar Tilak, Lala Lajpat Rai and Bhabhi Bipin Chander Pal emerged out as its leaders. They were, undoubtedly, men of strong character and firm convictions. They were also patriots to the very core. They had no faith in the British sense of justice, nor did they expect any political concession from them out of purely benevolent motives. They had innate hatred for the foreign government. They were also opposed to the Moderates' methods of political agitation. They believed in self-reliant and independent action. Convinced as such, these extremist leaders launched a crusade against the alien bureaucracy and released the forces, which gave birth to an anti imperialist movement.

Bal Gangadhar Tilak, the first in the trio, was the real founder of the anti-imperialist movement. He looked upon the foreign rule as a curse for his countrymen and wanted to free them from its domination. He always advocated the cause of the Indians and never failed to condemn the Government's anti-national measures. He sought to blend politics with religious nationalism. He gladly courted imprisonment and asked his countrymen to face the British repression with courage and determination. His powerful speeches and popular slogans, his uncommon sufferings and self-sacrifices taught the young Indians the philosophy of defiance, and converted them into rebels against the Empire. His teachings, his organisation methods, his anti-foreign propaganda, his gymnastic clubs, writes Dr. Ishwari Prasad, 'sowed the seeds of rebellion and found wide acceptance among the people'. For his militant nationalism the British journalist V. Chirole described Tilak as the 'Father of Indian Unrest'. According to W.S. Blunt, "Tilak contributed more by his life and character than by speeches and writings to the making of the new nationalism."

His able lieutenants, Lala Lajpat Rai and Babu Bipin Chander Pal also worked for the growth of new nationalism, which gradually spread throughout the British dominion. The authorities, who were anxious to check the further shafting of the balance of power in favour of the Extremists, could not afford to be indifferent towards the situation. They found its remedy in repression-cum-conciliation. The reforms of 1909 were, therefore, offered as a bait for conciliation.

Appointments of Minto and Morley. The authorities in London were fully alive to the fast deteriorating Indian situation. They found it difficult to prolong the stay of Curzon as Governor-General. They called him back in November, 1905 and appointed Mr. Minto as his successor. The elections of 1906 in Britain put the Liberals in power. They were known to be friendly to Indian aspirations. They appointed Mr. John Morley as Secretary of State for India in

the new Cabinet. Mr. Morley was a man with wide political experience and liberal tradition. He took a realistic view of the Indian problem and found in the reforms the remedy of the Indian situation. The same view was held by the Prince of Wales. On his return from India in the winter of 1906, he told Mr. Morley that the watch-word of British rule in India should be wider sympathy as well as firm justice. Mr. Morley, thereupon, took up the matter of reforms with Lord Minto. Fortunately, his attitude was also favourable. After preliminary negotiations and discussions with Morley, Lord Minto appointed a committee of four members with Sir A.T. Arundel as its chairman, to consider the whole question of political reforms and submit its report thereof.

Demand of the Muslim Deputation, 1906. Before the Arundel Committee could submit its report, Mr. Archbold, the Principal of Aligarh College, got scent of the nature of reforms to be introduced in the near future. He instigated the Muslims to send a petition to the Viceroy stressing that the principle of election, if introduced, would harm the interests of the Indian Muslims. He advised them to ask for a system of nomination and more representation in the legislative councils. Soon after this, a deputation of 36 prominent Muslims, with the Aga Khan as their leader, waited upon the Viceroy at Simla. The address presented by them demanded several special concession for the Muslims. The two major demands were, however in brief, like this: (i) Muslims should be given a quantum of representation in excess of their numerical strength; (ii) they should be given the right of sending their own representatives themselves through separate communal electorates. They based their claim for special concessions on the political importance of the Muslim community and the services it had rendered to the British Empire. Though the arguments advanced by the Aga Khan deputation were hardly tenable, Lord Minto, nevertheless, conceded their claim with readiness. He also assured them of full support, for he found in it an

opportunity of driving a permanent wedge between the Hindus and the Muslims.'

Government repression and terroristic activities. While initiating the policy of reforms in the Councils, the Government also undertook repressive measures. They included lathi-charges, vindictive punishments, quartering of troops and legislative enactments. An ordinance was issued by the Viceroy in 1907 (Seditious Meetings Act) restricting the right of holding public meetings. The next year (1908-called Black Year) witnessed the passing of more stringent measures viz. Newspaper (Incitements to Offences) Act, Criminal Law (Amendment) Act, the Explosive Substance Act, etc. These measures increased the spirit of resistance, rendering the situation far more serious. Bengal became the hot bed of terroristic activities and the Punjab also saw riots in Lahore and Rawalpindi. The situation in Maharashtra also became very dangerous. According to R.C. Majumdar... "by the end of 1908 law and order as well as rule of law had simultaneously vanished from the country." These unhappy and alarming developments made the authorities nervous, thus, making them more considerate to the Question of reforms in the existing set-up.

Arundel Committee Report and Reforms of 1909. The Arundel Committee, instituted by Lord Minto, submitted its report in October, 1906. The Governor-General-in-Council discussed the proposals and then sent them to the Secretary of State for examination. The Secretary of State lost no time in consulting the Cabinet and his Council on the despatch received from Lord Minto. Thereafter, he authorised the Government of India to refer the proposals to the Local Government in order to invite public opinion. This procedure took a period of about two years. The Secretary of State then drew up the final proposals, which were approved by the Cabinet. In February 1909, a short bill based upon these proposals was introduced in the House of Lords and this became the Indian Council Act of 1909.

Main Provisions of the Indian Councils Act, 1909 or (Features of Morley-Minto Reforms)

The Indian Councils Act of 1909 was not a lengthy document. It had only eight clauses. It merely laid down the framework of the new councils. The details about them were fixed by the regulations made under the Act. Its important features may be explained as under:

(a) *Expansion of the Central (Imperial) Legislative Council*: The Morley-Minto Reforms enlarged the size of the Imperial Legislative Council. Under the Act of 1892, the maximum number of the 'Additional Members' authorised to sit with the Governor-General and his Council for legislative business was only 16. It was now raised to 60, the total strength of the Central Legislative Council being fixed at 69. Out of these 69 members, 37 were to be officials and 32 non-officials. Of 37 officials 28 were to be nominated by the Governor-General while the remaining 9 were to be the ex-officio members of the Governor-General's Council. The 32 non-official members of the Council were to consist of 27 elected non-official and 5 nominated non-officials. The 27 elected members were to be returned by three different kinds of constituencies:

(i) *General Electorates*. 13 members—Eight of them were to be returned by the non-official members of Bengal, Bombay, Madras and U.P. Legislative Councils in the order of two by each province. The remaining five were to be returned by the non-official members of the Punjab, Bihar and Orissa, Assam, Burma and C.P. in the order of one by each Legislative Council.

(ii) *Class Electorates*. 12 members—(a) 6 members by special land-holders' constituencies in the six provinces—one from each—Bengal, Bombay, Madras, U.P., Bihar and Orissa and C.P.; (b) 6 members by separate Mohammadan constituencies—two from Bengal and one each from Madras, Bombay, Bihar and Orissa and U.P.

(iii) *Special Electorates*. 2 members—one each from Bengal and Bombay Chambers of Commerce.

In the Imperial Legislative Council, a substantial official majority was retained. For, Morley insisted that it was necessary for maintaining the undisputed supremacy of the British Parliament over Indian affairs.

(b) *Expansion of Provincial Legislative Councils*: Like the Imperial Legislative Council, the size of the Provincial Legislative Councils was also enlarged. Their total strength, as fixed by the Regulations, was as under:

(a) Bengal Legislative Council	52
(b) Madras Legislative Council	47
(c) Bombay Legislative Council	47
(d) Uttar Pradesh Legislative Council	47
(e) Eastern Bengal and Assam	41
(f) Punjab	25
(g) Burma	16

The members of the Provincial Legislative Councils were also classified into elected, officials, and nominated non-officials. The elected members were to be returned by three different kinds of constituencies—the general, the class and special electorates. The official majorities in the Provincial Legislative Councils were dispensed with, because the powers of the Councils were very limited. Besides, the Head of the Government of the Province had the power to withhold his assent to any measure passed by the Council. It would not be out of place to mention here that the non-official majorities, as provided by the Act in the Provincial Councils, did not necessarily mean the majorities of the elected non-official members.

(c) *Enlargement of the Powers and Functions of the Legislative Councils*: The Indian Councils Act of 1892 had empowered the members of the legislative councils to discuss the budget but they could not move resolution about it or

divide the council. They were also given the right to ask questions under prescribed conditions and restrictions. The Morley-Minto Reforms considerably enlarged the powers and functions of the legislative councils. They conceded to them the right of asking supplementary questions. The Councils also got the right of discussing and moving resolutions on budget but not of voting. Certain heads of revenue and expenditure were not open to discussion. Besides, the members of the councils had the right to discuss and vote upon resolutions on matters of general public importance. The President had, of course, the power to disallow any resolution or part of it, without giving any specific reason and the Government was under no obligation to accept the resolution even on public matters.

Mr. A.J. Belfour expressed the fear that the Indian councillors would unnecessarily attack and embarrass the officials by asking them supplementary questions. But history has proved that Belfour's apprehensions were unfounded. Even the authors of the Montford Report admitted that the right of interrogation was never abused.

(d) Restricted and Discriminatory Franchise: The franchise, as family provided by the Act, was neither wide nor uniform. It was, on the other hand, narrow and discriminator. Besides, it was based on many unjust, invidious and humiliating distinctions between the Muslims and the non-Muslims. For example, the Muslims, who paid an income tax on an annual income of three thousand rupees or land revenue in the same sum and the Mohammadan graduate of five years' standing had been given the right to vote for the Imperial Legislative Council. But a Parsee, Hindu or Christian who might be paying an income tax on three lakhs a year was not entitled to vote. Also a non-Muslim graduate of even 30 years had no right to vote. Obviously, it was a great injustice with the non-Muslims. Pandit Madan Mohan Malaviya, in his presidential address at Lahore Congress, regretted the anomaly and said: "It is,

indeed very sad that men like Sir Guidas Banerjee, Dr. Bhandarkar, Sir Subramania Iyer and Dr. Rash Behari Ghose have not been given a vote, which has been given to every Mohammadan graduate of five years' standing".

Besides being discriminatory, the franchise was based on very high property qualifications. For the Imperial Legislative Council, rich landlords with specific income (Rs. 15,000 per annum in Madras) or certain minimum land revenue payments (ordinarily Rs. 10,000 a year) or with high titles (like Raja or Nawab) or with certain honorary offices (honorary magistrates) were given the right of voting. As a result of this extremely narrow franchise, only a few privileged persons had the right to vote. The largest constituency, which returned members to the Imperial Council, had not more than 650 votes. In some cases, the number of voters in a constituency did not exceed 9 or 10. To sum up, the, qualifications for voters were very high; they were not the same everywhere too; they varied from one electorate to another and from province to province.

(e) *Excessive Share of Representation for the Muslims:*
On the ground of their alleged political importance, the Muslims were accorded privileged treatment in matter of representation in the legislatures. They were given more seats than their proportion to the total population would entitle them to hold. For example, the Muslims in the U.P. formed one-sixth of the population of the province, but they were given eight seats out of a total of 26 non-official seats in the provincial council. If this favour had been done to protect the interests of the Muslim minority in the U.P., then some provisions should have been made to protect the interests of the Hindu minorities in the Punjab, Bengal and Assam too. But they were left out in the severe cold. Besides, direct representation had been given to Mohammadans and refused to non-Mohammadans. The Indian National Congress expressed dissatisfaction with this unfairly, preponderant share of representation, which had been given

to the followers of one particular religion. It also criticised the inequalities of franchise.

(f) Separate Communal Electorates for the Muslims: The Morley-Minto reforms conceded special communal electorates to the Muslims. Some seats in the Legislatures and Councils were reserved for the Muslims and they were to be filled up by the Muslims chosen only by Muslim voters. The avowed purpose of communal electorates was to secure the adequate representation of the Muslims in the Legislatures, but its real object was to break up the national unit by creating communal divisions. To quote N. Srinivasan: "The concession of separate electorates was a fateful decision for India. From the day of that decision, India has known no communal peace. Indian politics became a battle ground of warring religions and communities. The growth of a healthy democracy based on a common, equal and secular citizenship became impossible". Rai Bahadur R.N. Mudholkar expressed the view that the separate electorates were calculated to retard the concord and harmony between Mohammadans and Hindus, to obstruct the intellectual and political advancement of the Mohammadans themselves, and the growth of a sturdy catholic public spirit and life among them. Verily, the communal electorate for the Muslims was the worst part of the Morley-Minto constitution. With it began the process, which slowly but steadily led to the inevitable end—the partition of India forty years later.

(g) Strict Qualifications for Membership to the Councils: The regulations prescribed a number of qualifications for candidates seeking election to the councils. Most of them were arbitrary and unreasonable. Their object was to place unnecessary restrictions on the choice of the electors and to exclude a number of men of light and leading in every province. In the Presidencies of Bombay, Bengal and Madras eligibility to the membership of a provincial council was confined to the members of Municipal and District Boards only. Besides a property qualification had, for the first time,

been laid down in the case of candidates for membership of Provincial Councils.

The disqualifications prescribed were also obnoxious. No person was eligible for election as a member of the council, if such a person (a) was not a British subject, or (b) was an official, or (c) was a female or (d) had been adjudged to be of unsound mind, or (e) was under 25 years of age, or (f) was an uncertified bankrupt, or (g) been dismissed from the Government service, or (h) had been sentenced to imprisonment or transportation. The worst part of the regulations was that they gave ample powers to the Government of India to disqualify any candidates, whom they thought undesirable, from standing for election. A number of eminent leaders were automatically disqualified, because they had been deported or had suffered imprisonment.

(h) *Principle of Election Along with Nomination*: Much to their credit, the Morley-Minto reforms definitely accepted the principle of election. Elected element was introduced both in the Imperial and Provincial Councils. But, at the same time, the procedure of nomination was adopted to give representation to those interests, which were not likely to be adequately represented through election. The Government of India had absolutely free hand in such nominations, and no qualifications were specified in the Regulations made under the Act.

(i) *No Representation to Certain Parts of India*. Some parts of British India, like the North-West Frontier Province, Coorg and Ajmer-Merwara, were under the direct administration of the Governor-General. They had very genuine claim for representation in the Imperial Council. Similarly, some tracts and districts, which were held on a permanent tenure with exclusive and plenary powers of administration vested in the British-Government, were also entitled to be represented at the Council of the country. But the Morley-Minto reforms made no provision for such

parts of India. The Indian leadership of the time regretted this injustice.

(j) *Appointment of Indians to Executive Councils:* The appointment of some Indians to the executive councils was another significant feature of the Morley-Minto reforms. Morley, the Secretary of State for India, had appointed two Indians, Mr. K.G. Gupta (a Hindu civilian) and Syed Hussain Bilgrammi (the Chief Adviser of the Nizam of Hyderabad), to his own Council (India Council) in August, 1907. Under the Morley-Minto scheme Mr. S.P. Sinha, the Advocate-General's Council. This appointment afforded a great satisfaction to the educated Indians. In the words of Mr. R.N. Mudholkar 'After Curzon's pronouncement in 1904 that the highest ranks of civil employment should generally be reserved for Englishmen...the admission of Indians direct into the Executive Government was very much like the introduction of a new principle.' Mr. Sinha's work as Law member of the Council was very impressive. Lord Minto publicly thanked him for 'the absolute fairness and broad-minded patriotism', which had characterised any advice that Sinha had offered him. It was a clear testimony to the fact that Indians were competent enough to hold the highest offices in the Government.

The Muslim League did not feel happy over the appointment of Mr. Sinha. Their deputation waited upon the Secretary of State and requested him for the appointment of a Muslim to the Viceroy's Council. Mr. Morley was frank enough to tell the deputation that it was not a political concession; it was merely the recognition of merit, the fulfilment of the pledges given in 1833, and then in 1858. Hence, the request of the Muslim deputation was turned down by Mr. Morley.

The Presidency Councils (Bombay and Madras) were also enlarged. Their strength was raised from 2 to 4. At least one of them was to be an Indian. The Governor-General-in-

Council were authorised to establish such executive councils in provinces ruled by the Lieutenant-Governors.

(k) *Categorical Rejection of Indians' Demand for Responsible Government.* The Morley-Minto reforms to the dismay of Indians, negated the grant of responsible government to India. There was, however, nothing surprising in it. For, the Secretary of State, Mr. Morley was particularly anxious that no sapling of the parliamentary or responsible and representative Government should be sown in the soil of India. He had openly declared in the House of Lords in 1908: "If I were attempting to set up a parliamentary system in India, or if it could be said that this chapter of reforms led directly or indirectly to the establishment of a parliamentary system in India. I, for one, would have nothing at all to do with it." Prof. C.H. Philips believes that Morley and Minto missed the best opportunity of introducing the English parliamentary system in India. They should have introduced the parliamentary system in 1909, for never again did more favourable conditions obtain.

Evaluation of the Reforms

The Morley-Minto reforms were no doubt, a fairly liberal measure. They considerably enlarged the strength, powers and functions of the Indian Councils. They could rightfully claim to be a marked improvement upon the previous measure (The Indian Councils Act, 1892). But, despite all this, they failed to satisfy the aspirations of the Indians. For, the intention of their authors and supporters was to make certain limited concessions to the Indian sentiment without, in any way, affecting the predominant position of the British rulers. The reforms, therefore, met with a strong denunciation at the hands of the critics. Mr. P.E. Roberts described them 'only a half-way house'. The Montagu-Chelmsford Report condemned them as inadequate. Dr. Zacharias held the view that the reforms had given the people 'the shadow rather than substance'. As a matter of

fact, the Rules and Regulations framed by the authorities under the Act were so long and intricate that they practically 'wrecked the Reform scheme'.

(a) *They Dealt a Blow to the National Unity.* The Morley-Minto reforms, in the first instance, attempted to divide the people of India into watertight compartments. The authors of the constitution deliberately adopted the principle of setting up counterpoise of natives against natives, class against class and interest against interest, and thereby divided the Indians into small political camps arrayed against one another. "The principle of class representation" writes P.E. Roberts, "created a distinction between the different classes of the community and made the fusion of their interests impossible." Their history of later years conclusively proves that the formation of the councils on the basis of representation to various classes, creeds and interests (Muslims, Land-holders, Mill-owners etc.) gave a direct encouragement to sectional interests. And this, in turn, had a disintegrating effect on the national solidarity.

Besides, after the grant of separate electorates to the Muslims, men tended to think not in terms of the nation, but of their separate creeds. The demands of the communities for separate electorates gradually increased. Some based their claim on backwardness, some on their advanced condition and some on their minority strength in a particular province. The result was that the Sikhs in the Punjab, the non-Brahmans in Madras, the Indian Christians and Anglo-Indians, etc. etc. all asked for separate representation. The nationalist leaders launched a vigorous campaign to check this growing tendency of separatism but all in vain. On the contrary, the demand for communal electorates became more and more pronounced. The Government, in their effort to disintegrate the Indian unity, extended these concessions to many other communities *viz.* the Sikhs, Anglo-Indians, Indian Christians, Europeans etc. They even tried to drive a

wedge between the Harijans and the Hindus. This naturally weakened the feeling of oneness among the Indians and dealt a severe blow to the spirit of nationalism.

(b) They Sowed the Seeds of the Partition of India. The introduction of separate electorates for the Muslims had an unfortunate and far-reaching effect on the destiny of India. As a result of this decision, about six million Muslims got separated from the rest of the Indians. They became more aware of their distinctiveness. They began to think themselves as Muslims rather than as Indians. Most of them gradually turned to the Muslim League and then started a struggle to promote their communal interests. Though their leaders, at times, made a call for national unity, yet they never gave up their communal aspirations. On the other hand, they became more and more communal in their outlook and politics. By the forties of this century, the Muslims under the League declared themselves as a separate nation and asked for a separate homeland in the Indian sub-continent. The British Government, in their own interest, lent all support to their demand till India was partitioned amidst scenes of Woodshed, civil war and disorder. According to Dr. Majumdar, "Morley and Minto both must share the blame for striking a fatal blow at the political unity of India, which was the greatest achievement of the British rule." But Prof. C.H. Philips believes that 'Morley and Minto had no such intention in their mind, nor was their recognition of separate electorates, in any way, a mischievous act.' This assertion of Mr. Philips, however, loses its weight when we learn from Lady Minto that her husband on the very day of the decision received a letter of congratulations from an official which said: "A very big thing has happened to-day... A work of statesmanship that will affect Indian history for many a long year."

(c) They did not Make Provision for the Political Education of the Indians. The Morely-Minto reforms did not make provision for the political education of the Indians. On ac-

count of an extremely limited franchise a very negligible part of the people had the right to vote for the Councils. Besides, the members of the Councils were to be returned by a system of indirect, rather doubly indirect election. The rate-paying citizens in a town or village cast their votes to elect their representatives in the Municipal Council or Local Board. The latter acted as voters for those who contested for Provincial Legislatures. The members elected for the Provincial Legislative Councils elected, in turn, representatives for the Imperial Legislative Councils. Thus, there existed no direct relation between the rate-paying citizens and the members sitting in the Legislative Councils. The authors of the Joint Report (1918) particularly pointed out that 'under this electoral system there is absolutely no relation between the supposed primary voter and the man who sits as his representative in the Legislative Councils. As a consequence, the vote of the primary voter had no effect upon the proceedings of the legislatures and the representatives elected felt no sense of responsibility to those whom they represented. Besides, under these conditions there could be no political education of the people.

(d) Unsound Position of Non-Official Members in the Councils. A substantial official majority had been purposely retained in the Imperial Legislative Council. And it was hoped that the officials in the Council would be left free to vote on resolutions. But the subsequent experience turned out to be quite different. The official bloc became a government party under the rigid and tight control of the party whip. In consequence, the official members could not ask any question, nor could they move a resolution according to their own wishes. They could not even speak unless the official whip asked them to do so. According to K.V. Punnaiah, "Their main function (in the Council) was to vote, to vote, with the Government and to vote against the non-official opposition. However eloquent the non-official speakers might talk and, however, reasonable and weighty their arguments might be, when the time for voting came,

the silent official phalanx stepped in and decided the matter against them". Besides, there was no getting away from it (official bloc) and no way of getting it round or dividing it. Like the Chinese Wall, it acted as a permanent barrier between the Government and the non-official Indians, embittering their relations and causing endless irritation and annoyance. Even Moderates like Gokhale, who had hailed the Reforms in the first instance, complained 'that once the Government have made up their mind to adopt a particular course, nothing that the non-official men say in the Council is practically of any avail in bringing about a change in the course'. Thus, the position of the non-official members in the Imperial Legislative Council was quite unsound and they exercised no influence on the decisions of the Government.

The non-official members in the Provincial Councils also, where they were in a majority, did not matter much. For, the powers of the Councils were very limited. The head of the Government of a province had the power to veto measures. Besides, the irregular attendance of the non-official and the habitual voting of the European contingent and nominated non-officials with the Government reduced them (non-official) to a minority. To make matters worse, even some non-officials also lent their support to the officials. To quote Sri Ram Sharma, "The elected European members were as good as officials. The landlords and the Muslims were admitted there for their services to the Empire, and they were bent upon improving the future of their own classes by proving their loyalty still further. These unsatisfactory conditions rendered the non-official majorities in Provincial Councils ineffective for all practical purposes.

(e) They Failed to Solve the Indian Political Problem.
The Morley-Minto reforms afforded no answer and could afford no answer to the Indian political problem. The people of our country clamoured for the grant of responsible government. They wanted to have an active hand in the

framing of the government under which they were to live. They also asked for an effective share in the legislation and even in day-to-day administration. But, to their dismay, the Act did not make any transfer of power to the hands of the Indians. Lord Morley, the author of the Reforms, himself declared in clear and unequivocal terms that his Reforms had nothing to do with the introducing of parliamentary system in India. In May 1909, he again observed: 'Swarai is an impossibility in our time and for generations'. Evidently, from the Indians' point of view the Reforms of 1909 were not inspiring. They did not fulfil their expectations and thus failed to afford an answer to their political problem.

The authorities were also disappointed with the results of the Reforms. Lord Minio's Government hoped that the Reforms would rally the aristocratic element and the Moderates on their side, thus enabling them to check any further shifting of the balance of power (in favour of the Extremists) and any attempt to democratize Indian institutions. Lord Morley also believed that the best way to draw out the teeth of the Extremists was to win the support of the Moderate party by granting a real measure of reform. But they soon discovered that the results had fallen short of their expectations. Even the Moderates, who had hailed the Reforms in the beginning, were not satisfied with the new constitution. For, the working of the Reforms evinced that the sacred heart of the Reforms was nothing but benevolent despotism and the Indians had received £ 1 for a cheque of £ 1,000.

(f) They Smacked of Distrust of Educated Middle Class.
The Government of India was distrustful of the educated middle class. It looked upon them as seditious and disloyal. Many English officials of the high ranks including I.D. Rees, Col. Grey and F.H. Barrow had openly warned the authorities against transferring any power to them. The Government of India, therefore, wanted to keep them away from the councils as far as possible. It was also their effort to

set up a counterpoise to them in the councils. Hence, under this Reform scheme, the territorial constituencies were deliberately avoided; separate electorates and weightage were granted to the Muhammadans, and the landlords were given excessive representation in the councils. Even the leading Anglo-Indian daily of Calcutta (*The Statesmen*) admitted that 'the scheme amounted to little else than provision for including in the Legislative Councils more landowners and more Muhammadans'. The Congress men objected to the excessive representation that was granted to the landholders. But the authorities, who found them most loyal to the British rule, brushed aside their objections, and extended their patronage to this extremely conservative but loyal section of the Indian social order.

(g) *They Marked a Stage in the Evolution of Parliamentary Institutions.* In spite of Lord Morely's disclaimer that the new councils in no way, meant the introduction of parliamentary government, his Reforms constituted a clear step towards representative and responsible government. In the words of Prof. Spear they 'committed India to democracy'. The Reforms definitely adorned the councils with all the external paraphernalia of a parliamentary government. According to R.N. Mudholkar they were ever in 1909 'parliaments, in embryo. The only thing they lacked was responsibility'. And this, in view of the fast developing Indian nationalism, too could not be delayed for long. After the non-officials were admitted into the councils, they started their efforts to secure their (councils') full growth. Only ten years later they obtained a substantial instalment of responsible government in nine provinces. The next instalment came in 1935. Thus, Morley's Reforms, despite his denials and disavowals, put India on the road to self-government. Surendranath Banerjee rightly claimed that Morley would stand forth in the history as the Simon de Montford of the future parliament of India. Prof. C.H. Philip's observation in this context is also worth quoting. He writes: "Just as the East India Company had over-run India whilst condemning

schemes of conquest, so also the British Government took Indians towards a kind of parliamentary government while disavowing the possibility."

(h) They Admitted the Indians to the Most Secret Councils of the Government. The appointment of Indians directly to the Secretary of State's Council in London and also to the Governor-General's Executive Council was no mean a concession. King Edward VII, Mr. Austen Chamberlain, Lord Curzon and MacDonald were strongly opposed to the admission of Indians to the secret councils of the Government. The King held the view that such appointments 'were fraught with the greatest danger to the maintenance of Indian Empire under the British rule'. Mr. Austen Chamberlain opposed it out of racial prejudices. He said, 'We could not admit equality'. But Morley to the credit of his ability and liberalism, prevailed upon the opposition and gave the Indians a direct share in Government decisions at the highest level.

(i) They Provided Opportunities for Training to the Indian Politicians. The Morley-Minto Reforms, it is true, did not provide necessary conditions for the political education of the people. But they definitely offered ample opportunities for training to the Indian politicians and officials. It is, indeed, creditable that our representatives in the councils gave an admirable proof of their skill and capacity for debate and also for presenting their case. They conclusively proved that Indians could make a positive and constructive contribution to the Indian administration, if an opportunity for the purpose was offered to them. In spite of their disadvantageous position, the non-official members did exercise some influence on the course of administration. The questions they asked introduced a new spirit of self-criticism.

(j) Failure of the Reforms (Causes), The Legislative councils constituted under the Minto-Marley Reforms started functioning in 1910. Before a year was over, the earlier

enthusiasm of even Moderates cooled down. According to the Montagu-Cheimsford Report the reforms spent up their utility by 1918 and were no longer acceptable to the Indian opinion. This unhappy end of the reforms was, no doubt, primarily due to their inherent shortcomings, yet some other factors also contributed to their failure.

In the first place, the Provincial Councils did not have sufficient powers in the sphere of administration. Its virtual control remained with the Central Government. The Provincial Councils as such could not prove themselves sufficiently useful. Secondly, though the Indians were appointed to the Executive Councils, there was no corresponding wide-spread admission of the Indians into the public services. Higher posts remained the exclusive privilege of the Britishers. Thirdly, there was no general improvement in the local bodies. They remained officialised as before. Fourthly, the humiliating inequalities, to which the Indians were subjected on the racial grounds, kept them discontented with the Government. It is said that even in their own country they were not allowed to enter many places as guests. During his visit to India, Mr. Montagu, the then Secretary of State, was surprised to know that he could not take his Indian members to certain clubs here. Fifthly, the rapid rise of the national consciousness and the Indians' desire for political power also rendered the Reforms unsatisfactory and useless.

II

MORLEY-MINTO REFORMS THE ANGLO-RUSSIAN CONVENTION

The departure of Lord Curzon marked a real epoch in Indian history. It synchronized with the advent to power in England of the most powerful Liberal and Radical government that had ever been successful at the polls. This event was destined to have profound and far-reaching effects upon the

whole problem of British rule in India. It seemed indeed the irony of fate that, immediately after Lord Curzon, by indomitable labour, had renovated and strengthened the machinery of Indian administration, a man succeeded to power who was more concerned to apply conceptions of popular and constitutional government to our Eastern Empire than to pursue drastic reforming methods through the agency of an enlightened bureaucracy—a party which believed in freedom rather than in discipline, in autonomy rather than efficiency. The new Secretary of State, Mr. John Morley, was a man of strong personality, who, though he seemed to the ‘impatient idealists’ of his party to be unduly ready to compromise the hitherto unsuspected orthodoxy of his Liberalism, was determined to make his office a reality and to introduce constitutional reforms in India. Some former Secretaries of State might have been regarded merely as necessary links between the Cabinet and the Viceroy. Such was not Mr. Morley’s conception of his position, and, even if he did not go so far; as to regard the Governor-General as his ‘agent’ (though that designation was once employed by his under-secretary) yet he undoubtedly demanded a larger and more direct share in the administration than former Secretaries of State had been wont to claim. It is indeed inevitable that the viceroyalty of Lord Minto and Mr. Morley’s rule at the India Office should be closely associated. They were appointed within a few weeks of one another. Lord Morley of Blackburn (he had been elevated to the peerage in 1908) resigned in October 1910 and Lord Minto left India a month later. Both Secretary of State and Viceroy in their co-operation depended less than most of their predecessors on the expert guidance and accumulated experience of their permanent officials, and, without prejudging the question of gain or loss to the country, it is certainly true that the famous Morley-Minto reforms ‘were in the main the outcome of an exchange of views between two statesmen whose knowledge of India was obviously limited’.

The time and manner of Lord Curzon's departure left some troublesome questions for his successors, and Lord Minto had embarrassments of his own to face arising from the fact that, though he had been sent to India by a Unionist government to support Lord Kitchener, he was called upon to work with a Liberal ministry, the sympathies of whose supporters, though against Lord Curzon in regard to the partition of Bengal, had been entirely with him in his disagreement with the Commander-in-Chief. The same question for a different reason had its difficulties for the Secretary of State. The English party system which suddenly transforms a free lance of opposition into a responsible minister of the Crown often plays strange tricks with men's endeavours to maintain political consistency. Mr. Morley had apparently burnt his boats in regard to the Curzon-Kitchener controversy by a declaration to his constituents just before he accepted the seals of office. 'Lord Curzon', he said, 'has been chased out of power by the military, and the Secretary of State (Mr. Brodrick) has sanctioned that operation. If there is one principle more than another that has been accepted in this country since the day when Charles I lost his head, it is this: that the civil power shall be supreme over the military power. That is what you will find at the India Office: that they have been guilty of this great dereliction, this great departure from those standard maxims of public administration which had been practically sacred in these islands ever since the days of the Civil War.' The still lingering echoes of these resounding periods did not make the position any the easier, and Mr. Morley's opponents waited with some natural curiosity and a certain cynical amusement to see how he would meet the situation. Strict logic should have led him to reverse the decision of his predecessor, but that would undoubtedly have meant the resignation both of the Viceroy and the Commander-in-Chief—a contingency that the new Cabinet could hardly have faced. Mr. Morely therefore decided with what grace he could muster to accept

the *fait accompli* and not to reopen the question 'at the risk of an indefinite prolongation of fruitless and injurious controversy'. The Commander-in-Chief henceforward became an ordinary member of council and the army department was placed in his charge. The military supply department was created and was presided over by another member of council, but it proved an arrangement, in Lord Morley's words, 'good neither for administration nor for economy'. It was abolished in 1907, having rather expensively fulfilled its real, though unavowed, function of saving illustrious faces. In the end, therefore, Lord Kitchener's view prevailed, but twelve years later, in tragic circumstances and at a terrible crisis, Lord Curzon's position in the controversy was completely vindicated. In the intervening time the control of the government of India over military policy had seriously weakened. The concentration of executive and administrative power in the hands of one overworked Commander-in-Chief resulted in the breakdown of the transport and of the medical service in Mesopotamia during the great war. The commission of inquiry that followed passed a scathing condemnation on the Kitchener system and declared that it was impossible for the duties of Commander-in-Chief and military member to be adequately performed by any one man in time of war.

Mr. Morley also declined to reverse the Partition of Bengal. He declared his opinion that the policy of his predecessors had been mistaken in its methods, but added that it was a settled matter as far as he was concerned. The agitation, however, still continued, and led to an incident which brought much criticism and embarrassment upon the Indian government. An objectionable feature of the movement had been the participation of Bengali school boys in political meetings, often with the connivance of their teachers. Sir. J. Bampfylde Fuller, the first Lieutenant-Governor of Eastern Bengal and Assam, addressed a circular to the educational department deprecating this practice,

and threatening that the government would withdraw pecuniary aid from the schools where it was countenanced, and would recommend the Calcutta University to disaffiliate them. Two schools in the Patna district disregarded these orders, and sheltered the ringleaders among their scholars. Sir J. Bampfylde Fuller applied to the Calcutta University to disaffiliate the schools concerned, but was requested by the government of India to withdraw his application on the ground that it would result in an acrimonious debate in the senate of the university, which, in the excited condition of public feeling, would be highly undesirable. The Lieutenant-Governor thereupon tendered his resignation, unless the Indian government should reconsider their request, and his resignation was accepted. The incident was naturally regarded as a triumph for the opponents of the Partition, and Lord Curzon, in the House of Lords, declared that Fuller was sacrificed in the mistaken belief that it would pacify the agitators'. The reply of the Indian government was that they could not submit to the dictation of one of their own officials, but this hardly answered the charge that they were prepared to allow the schools to defy the Lieutenant-Governor, and Sir J. Bampfylde Fuller had many to sympathize with him.

In the foreign policy of the new Liberal government one of the most noteworthy achievements was the threefold convention between Great Britain and Russia concluded in 1907, relating to Tibet, Afghanistan, and Persia, which settled by peaceful diplomacy three long outstanding questions of Asian politics. In reviewing the external relations of India under Lord Minto's government it will perhaps be most convenient if, bearing this central fact in mind, we consider separately our relations with each of the three countries concerned, showing in due course how the agreement with Russia affected them.

Mr. Morley and Lord Minto took up the threads of the Tibetan question where, their predecessors had dropped

them. It was still requisite to gain the formal assent of China as suzerain of Tibet to the Treaty of Lhasa of 1904. The original Intention was that she should sign a mere 'adhesion agreement', but this developed into a convention, concluded, at Peking in April 1906, which, besides confirming the Treaty of Lhasa, contained two other clauses. By the first, Great Britain bound herself neither to annex the country nor to interfere in its internal administration by the second, China engaged to impose like restrictions on all other foreign powers. The second clause, though verbally a concession to Great Britain, was actually quite as much to the advantage of the Chinese as to ourselves, and certainly gave some colour to the contention of those who asserted that China secured all the advantages of our interference in Tibetan affairs. Throughout the whole course of the negotiations the Indian government, anxious to secure what fruits they could of Lord Curzon's policy, tried to insist on the *ipsissima verba* of the Treaty of Lhasa. The Secretary of State, on the other hand, was determined, and rightly, to withdraw from the whole entanglement as soon as possible, and in the end he prevailed. He therefore conceded the point, against the earnest representations of Simla, that the Chinese should pay the indemnity instead of the Tibetans, and should do so in three instalments instead of twenty-five. In 1908 the Chinese government asked that, the indemnity being paid, we should evacuate the Chumbi valley, according to our promise. Against this the Indian government protested on the ground that the Tibetans had not faithfully carried out their part of the Treaty in respect to the establishment of trade marts, and that by its withdrawal we were giving up the only guarantee we had for the fulfilment of the Treaty. But the Secretary of State, believing that for reasons of policy and expediency it was desirable that our occupation of the valley should terminate at once, disregarded the protest, and our troops were withdrawn in February 1908. In the meantime the convention between Great Britain and Russia of August 1907 had doubly barred the gates of Tibet

against any further intrusion on the part of Europeans. Both powers agreed to respect the integrity of Tibetan territory, to abstain from any intervention in its internal administration, to treat with the government only through the Chinese, and to send no emissaries to Lhasa. In fact, Great Britain and Russia by this convention mutually agreed upon a self-denying ordinance in regard to Tibet. Two results, unexpected but perhaps inevitable, followed. The Dalai Lama was eventually deposed, and the whole control of the country passed into the hands of the Chinese Residents, who displayed a decidedly anti-British bias. In July 1908 the Dalai Lama was summoned to Peking, and was there made so acutely to feel his inferiority that in 1910, after his return to Tibet, he appealed for help to the British government against the advance of Chinese troops on Lhasa. In February of that year he fled once more from his capital and crossed the Indian frontier to Darjeeling. The wheel had come full circle, and the traditional exclusiveness of the Tibetan was utterly broken down. The Tashi Lama had already crossed the Indian frontier in 1905-6 and been received in audience by the Prince of Wales and the Viceroy, and now the Dalai Lama himself, who had fled with horror from Lhasa in 1904 that his eyes might not even rest upon Europeans, visited the capital of British India and had an interview with Lord Minto. There he asked, but of course asked in vain, for help against the Chinese government, which in February had formally deposed him by an imperial decree. We were precluded now by our own action from giving him any aid, even had we desired to do so, and we could do nothing except address a mild and ineffective protest to the Chinese government. A new Dalai Lama was in due course found who was under the complete control of the Chinese Residents.

Mr. Morley's policy in regard to Tibet may be said to have skilfully settled a difficult question and to have disentangled us from a position that was full of danger.

Opponents held that it amounted to a surrender of the aims of Lord Curzon's policy. But after all the main motive underlying Younghusband's expedition was to prevent the penetration of Tibet by Russian influence, and that end was secured by the convention of 1907. The pity is that the "Russian and British governments could not have worked out such a solution in 1903. The whole trouble and expense of the expedition would then have been saved, Tibetan lives would not have been needlessly sacrificed at Guru, the Dalai Lama need not have been deposed, nor Tibet have passed under the despotic sway of China.

The Anglo-Russian Convention of 1907, so far as it affected Afghanistan, did little more than recognize the *status quo*. Great Britain disclaimed any intention of altering the political position there, and Russia, definitely acknowledging that Afghanistan lay outside her sphere of influence, agreed to act in all political relations with the Amir only through the British government, and to send no agents into the country. Equal commercial privileges were to be enjoyed both by British and Russian traders. From regard to the feelings of our ally it was stipulated that these arrangements were not to come into force till Great Britain was able to notify to Russia the Amir's assent to them. As a matter of fact, in spite of this precaution, Habibulla was affronted at this agreement between the two countries in regard to his dominions, and refused to give the convention his formal approval. This was the more to be regretted because he had paid a visit to England in the earlier part of the year, and seemed largely to have laid aside his former resentment against the British.

The convention in regard to Persia was more important than in the case of either Tibet or Afghanistan. It quite possibly prevented a disastrous war between England and Russia, and deserves to be ranked as one of the most notable diplomatic triumphs of the time. The disintegration of the Persian empire was proceeding apace. During the period

1905-10 the condition of the country was rapidly lapsing into chaos. Persia's deplorable state was only intensified by the fact that western ideas of constitutionalism and popular government were germinating among her people, for the new wine of democracy proved too powerful a solvent for the old bottles of eastern autocracy. It was, therefore, a wise provision that inspired Great Britain and Russia to lay down certain definite rules circumscribing their position in regard to Persian territory, and defining their attitude towards the perilous situation created there.

The convention, though binding both Russia and Great Britain to respect the integrity and political independence of Persia, demarcated a Russian sphere of influence in northern Persia and a British sphere of influence in the south-eastern provinces. Each country agreed in regard to the other's sphere 'not to seek for herself or her own subjects or those of any other country any political or commercial concessions such as railway, banking, telegraph, roads, transport, or insurance', or to oppose the acquisition of such concessions by the other party to the agreement. The Russian sphere was bounded to the south by a line passing through Kasr-i-Shirin, Isfahan, Yezd, and Kakhk, the British by a northern boundary running from Bander Abbas through Kerman to Birjand. It was announced by Sir Edward Grey, the Foreign Secretary, that the Persian Gulf lay outside the scope of the convention, but that Russia had stated during the negotiations that she did not deny the special interests of Great Britain in the Gulf.

The convention was subjected to criticism, less for the general principle involved, though it is true that 'there is something amazingly cynical in the spirit in which western powers dispose of the heritage of other races', as for the details of the bargain. One party declared that the Russian sphere of influence was too large and the British sphere too small, but Russian penetration of northern Persia had proceeded very far, and there is no doubt that in this respect

British statesmen, in the words of Sir J. D. Rees, 'had not so much given away advantages as accepted a position that had grown up'. The real justification for this fine piece of statesmanship is that it averted any serious trouble between Russia and Great Britain between the years 1907 and 1910 when Persia was in the throes of revolution and aflame with disorder—a situation affording innumerable opportunities for either side to intervene had there been no previous understanding.

In internal matters the agitation against the Partition of Bengal developed into a general political ferment throughout India. Indian unrest may, perhaps, be best characterized in the Secretary of State's own words. 'Of deeper moment', he wrote, 'loomed the vision of a wave of political unrest from various causes, partly superficial, partly fundamental, slowly sweeping over India. Revolutionary voices, some moderate, others extreme, grew articulate and shrill, and claims or aspirations for extending the share of peoples in their own government took more organized shape...Mechanical facility of communication between West and East improved almost from day-to-day, and made the transmission of sympathetic political currents more and more direct.' This movement is the most momentous event of our time in Indian History. It is almost impossible to exaggerate its importance or the influence it is exerting on the whole problem of our position in the East. A brief analysis of the causes that produced it is, therefore, necessary.

The movement was part of a greater one. The continent of Asia was beginning in the world both of politics and of thought to rise from its old-world lethargy and free itself from the domination of Europeans. Japan had defeated the mighty armies of Russia. 'The reverberations of that victory', said Lord Curzon, 'have gone like a thunderclap through the whispering galleries of the East'. Western nations found both their material and spiritual weapons deftly turned against them, for the East, even in revolt, was imitative,

and just as Japan vanquished Russia by modern weapons of precision so in Persia, India, and China the reform party modelled themselves on the most approved pattern of Western Liberalism, and derived their political armament from the political philosophy and literature of Europe.

Causes more particularly connected with India were first of all the high hopes excited by the advent to power of a great Radical majority at Westminster, many members of which were known to sympathize with the Indian 'Progressive' party. Secondly, there was the rapidly growing influence of the Indian National Congress and the gradual drawing together, at any rate in open political alliance, of the Hindu and Muhammadan leaders, although originally the Muhammadans had opposed the movement, and as lately as 1899 their chief representatives, under the presidency of Sir Amir Hassan, declared that the Congress policy impeded the true political and moral progress of the country. Thirdly, there was no doubt a certain revolt against the vigorous efficient autocratic rule of Lord Curzon, which, rightly or wrongly, the Nationalist leaders considered to be reactionary in many of its aspects.

Like most progressive parties the Indian reformers contained a moderate and an extremist section. Men like the late R. C. Dutt, the late Mr. Gokhale, and Sir Satyendra Sihha maintained with moderation and great ability views which though advanced were inherently reasonable and logical. But the extremists by a revolutionary propaganda and inflammatory speeches embarked on a campaign which soon led to outrages and political assassinations. In April dangerous riots occurred at Lahore and Rawalpindi. The position became so threatening that the government were compelled in the following month to issue an ordinance later embodied in an Act), empowering local governments to 'proclaim' certain districts with the result that no public meetings could be held in them without seven days' notice being first given to the authorities, and to deport offenders

under a Regulation of 1818. At the National Congress in December, held at Surat, the moderates and the extremists joined issue in a contest between two candidates for the chairmanship, the nominee of the latter being a man who had lately been deported for his share in the Punjab riots. The contest ended in a free fight and was adjourned *sine die*, but the moderate party immediately afterwards issued a manifesto that their goal was the attainment by constitutional and lawful means of the same position for India in the empire as that of Canada and the other self-governing colonies. Unfortunately in the next year, 1908, the seditious agitation continued and was accompanied by murderous attacks upon Europeans and others. On the earnest representations of the Indian government, and much against his will, the Secretary of State was obliged to sanction special legislation to meet the campaign of violence. Two Acts were passed making it a felony to manufacture or possess explosives or to incite to murder in the press, and later the Legislative Council sanctioned in a single sitting without opposition an Act conferring upon the courts summary jurisdiction in cases of seditious violence.

Nothing could well have been more inopportune than this outburst of political crime. Lord Morley and Lord Minto were honestly desirous of taking some decided steps in the direction of liberalizing Indian institutions, though the manifesto even of the moderate party was regarded by them as embodying a distant ideal at present quite unattainable. They had already begun to formulate reforms. The question was whether they were now to withhold their hand in view of what had occurred. They decided not to flinch in the course they had marked out. Lord Morley believed that the best way to draw the teeth of the extremists was to win the support of the moderate party by granting a real measure of reform. At the same time it was impossible to tolerate anarchy, and, therefore, the Indian government adopted that blended policy of repression and concession to which it was

easier to object than to suggest an alternative. The repression was certainly not excessive; indeed a high authority has declared that 'many innocent victims paid with their lives for the extraordinary supineness displayed in those first disastrous two years of Lord Minto's administration. The Secretary of State and the Viceroy suffered the usual fate of statesmen who adopt a moderate course, in being attacked from opposite sides as both revolutionary and reactionary. They persevered, however, with their policy, and so it came about that this year—so darkened by conspiracies and assassinations—witnessed at its close both the message of King Edward VII to the princes and peoples of India on the fiftieth anniversary of the assumption of government by the Crown, and the unfolding by Lord Morley in the House of Lords of plans intended to be the first step in the realization of the promised reforms. The message of November 2 began with a proud yet not unjustified claim for the recognition of Great Britain's services to India. 'Half a century is but a brief span in your long annals, yet this half century that ends to-day will stand amid the floods of your historic ages, a far shining landmark. The proclamation of the direct supremacy of the Crown sealed the unity of Indian government and opened a new era. The journey was arduous and the advance may have sometimes seemed slow; but the incorporation of many strangely diversified communities, and of some three hundred millions of the human race, under British guidance and control has proceeded steadfastly and without pause. We survey our labours of the past half century with clear gaze and good conscience.' After an enumeration of the benefits of British rule the message proceeded to a promise of further constitutional-development. 'From the first, the principle of representative institutions began to be gradually introduced, and the time has come when, in the judgement of my Viceroy and Governor-General and others of my counselors, that principle may be prudently extended.' The Indian Councils Act which was a further development of Lord Cross's Act

of 1892 was passed in February 1909. It provided for an increase in the numbers of the vice-regal and provincial Legislative Councils. The Executive Councils of Madras and Bombay were also to be enlarged and such councils were to be established in provinces ruled by Lieutenant-Governors. In the constitution of the Legislative Councils the principle of election was to be introduced side by side with that of nomination. The Act was mainly permissive in form, for almost everything depended on the actual Rules and Regulations which had still to be drawn up, and it has been rather appositely described as 'little more than a blank cheque drawn in favour of the Secretary of State, leaving in his hands the ultimate shape of the rules and regulations on which everything depended'.

Unfortunately the Act had no effect as a check upon the anarchists. In February the Public Prosecutor of Bengal was shot dead by a Bengali student. In July Sir Curzon Wylie was assassinated by a Punjabi at the Imperial Institute in London, and in December Jackson, a Bombay civilian, was murdered by a young Marathi Brahmin in an Indian theatre, while in the preceding month an attempt, fortunately unsuccessful, was made on the life of the Viceroy at Ahmedabad.

The Rules and Regulations defining the operation of the Act were published in November. They were too long and intricate to admit of an easily intelligible summary. The most elaborate arrangements were made for the representation in the legislative councils of various classes and minorities, for instance, of Muhammadans, landowners, the tea and jute industries, and Indian commerce. The Imperial Legislative Council was increased from twenty-one members to a maximum of sixty; the other legislative councils being generally rather more than doubled. In Madras and Bombay the members of the executive councils were increased in number from two to four. The Secretary of State supplemented these reforms by the striking

innovation of appointing an Indian member to the Viceroy's Executive Council, other Indians to the Executive Councils of Bombay and Madras, and two to the Council at the India Office. Though in this way a great and notable advance was made, especially in the fact that an Indian sitting in the Viceroy's Cabinet was necessarily admitted to the most secret counsels of the government—a step in advance which was deprecated even by such stalwart Liberals as Lord Elgin and Lord Ripon—yet the Morley-Minto reforms failed to satisfy the National Congress Party, who had hoped that the whole of India would be divided into large popular constituencies. They criticized especially principle of class representation on the ground that it created a distinction between the different classes of the community and made the fusion of their interests impossible. It is true that to satisfy these aims had at no time been the intention of the authors of the Act. 'If I were attempting', said Lord Morley in the House of Lords, 'to set up a parliamentary system in India, or, if it could be said that this chapter of reforms led directly or indirectly to the establishment of a parliamentary system in India, I for one would have nothing to do with it... If my existence, either officially or corporeally, were to be prolonged twenty times longer than either is likely to be, a parliamentary system in India is not at all the goal to which I would for a moment aspire.

Yet the life of the *regime* based upon the Act of 1907 has been but a decade, and it is now under criticism and revision. The Morley-Minto constitution turned out to be alter all only a half-way house. The Montagu-Chelmsford Report of July 1918 condemned it as inadequate. 'Narrow franchises and indirect elections failed to encourage in members a sense of responsibility to the people generally, and made it impossible, except in special constituencies, for those who had votes to use them with perception and effect . . . while governments found themselves far more exposed to questions and criticism than hitherto, questions and

criticism were uninformed by a real sense of responsibility, such as comes from the prospect of having to assume office in turn.' The general result was that 'Parliamentary usages have been initiated and adopted in the councils up to the point where they cause the maximum of friction, but short of that at which by having a real sanction behind them they begin to do good.' These views did not go unchallenged, and many considered that the Montagu-Chelmsford Report was misleading both in its estimate of what the Morley-Minto reforms had achieved and disbelief in their future. But there can be no clearer evidence of the rapidly accelerated pace of the Indian constitutional movement in our time than the fact that reforms, which in 1909 seemed even to many Indian politicians to exceed their utmost expectations, ten years later were regarded as merely a transitory and halting step on the path of progress.

Gandhian Support

The anti-Raj stance received momentum from various sections of the Muslim community mainly on account of the fact that Turkey and the Caliph, greatly insulted and humiliated on account of the unbearable political conditions placed on their shoulders, must be saved at any cost, including physical and financial sacrifices. To achieve this end, the only way and probably the feasible step decided upon by them was the realisation of the goal of independence for India which had by this time become a well-recognised slogan of the masses under the political leadership of Mahatma Gandhi. The idea, therefore, was to realise their aim under a wider political programme already launched by the Congress leadership soon after the end of the First World War when Congress as a party and the Muslims as a community had lost any kind of hope favourable to their oft-repeated demands.

The Viceroy sent a gist of address of Muslim deputation, presented to him, to the Secretary of State on 19th January 1920. This address was presented by Gandhi, Ali Brothers, Ajmal Khan, Dr. Ansari, Abdul Bari, M.M. Chotani, Saifud Din Kitchlew, Abdul Kalam Azad, Hasrat Mohani, Swami Sharaddhananda and Rambhaji Datt Chaudhri, 'Khilafat Conference considers necessary deputation to England to lay before His Majesty and Ministers clear statement of the obligations imposed on every Muslim by his faith and united wishes of Indian Muslims regarding Khilafat, Muslim control over whole Jazirat-ul-Arab, Khalifa's wardenship

of Holi places and integrity of Ottoman Empire. Necessity enhanced by present grave situation fast developing into unmistakable world.

‘During war time these sympathies were not expressed with sufficient force and it is regretted even more that religious obligations were not emphasized to ruling class of alien faith....

‘In these circumstances one final effort necessary to warn Imperial authorities of dangers of settlement forced on Mussalmans contrary to clearest commandments of their creed and entreat His Majesty’s Government to avoid evil consequences of such a decision.’

The object of the deputation was to promote feelings of friendship and amity between the Arabs and the Turks by removing their mutual differences, and preserving, as far as possible, their national aspirations in the interest of Islam and the great Muslim fraternity. Secondly, in the *Jasirat-ul-Amb* to establish harmony and concord among the various warring elements in it. The number of members for Syria was four, for Hedjaz four and for Mesopotamia six.

The government sources apprehended a great danger to the existing political situation created by the Khilafat propaganda. On 17 October 1920, the Khilafat Day was observed throughout India and a movement was started to boycott the peace celebrations of December. The Khilafat Committee which sat in Delhi on 23-24th October and was attended by Gandhi and other prominent leaders passed ‘violent’ resolutions advocating total abstention from the peace celebrations, the gradual boycott of British goods, the abandonment of cooperation with government as regards military and civil services etc. “The Government of India think it desirable also, at the present juncture, to take the opportunity of rallying non-Muslim opinion to the side of Government. Leading Hindus might be interviewed and warned of the dangers which the acceptance of the principles

advocated by Moslem extremists necessarily involves. The agitation may not only produce outbursts of internal disorder which will have directly mischievous effects for them, but it will indirectly afford encouragement to Bolshevik and Pan-Islamic forces outside India, which coupled with the tribal hostilities on the frontier and the uncertain attitude of Afghanistan constitute already 'formidable menace to the peace and prosperity of India.'

Gandhi commented in this *Autobiography* thus: 'The Congress inquiry into Dyerism in the Punjab had just commenced, when I received a letter of invitation to be present at a joint conference of Hindus and Mussalmans that was to meet at Delhi to deliberate on the Khilafat question. Among the signatories to it were late Hakim Ajmal Khan Saheb and Mr. Asaf Ali....The Musalmans have, adopted a very important resolution. If the peace terms are unfavourable to them—which may God forbid—they will stop all co-operation with Government. It is an inalienable right of the people thus to withhold cooperation. We are not bound to retain Government titles and honours, or to continue in Government service. If Government should betray us in a great cause like the Khilafat, we could not do otherwise than non-cooperate. We are, therefore, entitled to non-cooperate with Government in case of a betrayal.'

In an article entitled 'Hindu Muslim Unity' in *Navajivan* dated 29th February 1920, Gandhi gave vent to his feelings thus:

'It would be no exaggeration to say that the unity which prevails today between the Hindus and the Muslims is unparalleled in the present age. We all desire that it should remain undisturbed. However, unless our desire is backed up by efforts to that end, this unity cannot be kept up, nor can it be strengthened.

'There is no doubt that, if it has been brought about to serve self-interest, it will not continue once the interests

have been served. We should therefore examine the reasons for this growth in unity.

‘Many of my friends question me about it. Some misunderstandings may be removed if I repeat here the answer I gave them.

‘Some of them feel I am not well-advised to take a leading part of the Khilafat issue. One party asserts that it is impossible to overcome the bitter hostility between the Hindus and the Muslims. I do not wish to answer this question here. I can only observe that, if we keep raising such questions it will become impossible for us to solve many of our complicated problems. It is said that human effort can achieve anything and we see that indeed it does. If so, we need not assume that the problem is incapable of solution.

‘Another party argues that, though the Khilafat may well be a religious issue for Muslims, they do not have justice on their side. How are we concerned with Turkey? There is no limit to the injustices perpetrated by that country. What good will it do to the world to restore its tyrannical rule? A number of similar questions are raised. I shall try to answer them all some other time, but the main points I shall examine now. I believe that, on the Khilafat issue, the Muslim stand is entirely just. If it were purely a case of religious feelings and these feelings did not appeal to our reason, I admit that we would in no wise be bound to help them in the matter. Even apart from the religious issues involved in the Khilafat, the Muslims are still on the path of justice. The Allies had accepted, and so bad President Wilson, the principle that the boundaries of the different countries as they existed when the War started should remain intact, and that no country should be made to suffer by way of punishment. The Muslims want them to abide by this principle. They demand that the territories held by Turkey in August 1914 be restored to her, that Arabia and the holy places of Islam remain,

under the control of the Khalifa, and they say that they would not mind the Sultan being asked to furnish reasonable guarantees for the protection of his Christian and Jewish subjects, consistent with his dignity. The Arabs may remain free. I find none of these demands unreasonable. They meet the objection based on the alleged oppression by Turkey. There have been promises by British ministers to this effect. If, now, the Muslims do not get what was promised, they will suffer grave injustice and their religious feelings will be hurt. Hence I feel that, if we wish to do our duty by our neighbours, it is incumbent on us to help our Muslim brethren.

“The orthodox Hindus, however, tell me: ‘All right, we shall help them. But now-a-days Hindus drink water from the same glass, sit at meals together with them and talk of Hindus and Muslims giving their sons and daughters in marriage to one another.’ This is a genuine fear among the orthodox Hindus, but there is no good reason for entertaining it. In order that we may help them on the Khilafat issue, there is absolutely no need to drink water from the same glass, sit together at meals or give sons and daughters in marriage. Unity will come about only when the Hindu, while scrupulously following his own religion, regards the Muslim as his brother. I do not love my son the less though I wash clean the glass he has used, or do not allow him to drink from my glass without washing it. A brother and a sister do not marry, but where else shall we find such pure love as exists between them? Many Hindus do not marry in the same *gotra* but this does not detract from their unity. Really speaking, if we consider such freedom in matters of drinking, eating and marriage essential for unity, then unity between Hindus and Muslims will never come about. Hence, whenever I hear that a Hindu and a Muslim drank from the same glass or ate from the same plate, I feel sorry because an orthodox Hindu is bound to be hurt even on hearing of these things. It would be an entirely different matter if there is some good reason why we should

not mind hurting them. When, however, drinking water from the same glass implies no unity to give prominence to the act as an expression of unity is creating an obstacle in the way of unity. I personally believe that we have given false importance to eating and thus invited disease and starvation, and made self-control difficult. The act of eating is no different from that of excretion; both are unclean and should be performed in private. Because we enjoy eating, we indulge in the pleasure openly and have abandoned shame in this matter as well. I feel that we would do well to emulate those strict Hindus who eat in private, just that they might preserve the body, taking God's name the while. May be I am mistaken? I only want to prove that, for promoting Hindu-Muslim unity, it is not necessary to drink and eat in company. By raising this question, we put an obstacle in the way of unity.

'Let us now consider the question of marriages. Many Hindus and Muslims eat together of their own free will and Hindu society tolerates this. But nowhere do we find marriages as between Hindus and Muslims; if such a thing were to be encouraged, the Hindu religion would die out. I think it impossible for a Hindu and Muslim to marry and yet follow his or her own religion properly. Men devoid of the religious feeling live to no good purpose. If we would keep this feeling pure, there can be no question of marriages between Hindus and Muslims. If Hindus and Muslims keep up unity between themselves by being indifferent to their respective religions, such unity is not real; it is not unity as between Hindus and Muslims, and what we wish for is Hindu-Muslim unity. If we wish to achieve it and would preserve it, we should forget for ever the idea of marriage between Hindus and Muslims. I should think that the zealous Muslims feel the same way. A Muslim can never marry a Hindu who remains a Hindu. What religion will the offspring of such union follow? One spouse must accept the religion of the other or they should both live without

religion, or found a new creed. In none of these lies Hindu-Muslim Unity. My dream is that a Vaishnava, with a mark on his forehead and a bead necklace, or an ash-smeared Hindu with a *rudraksha* necklace, ever sopunctilious in his *sandhya* and ablutions, and a pious Muslim saying his *namaz* regularly can live as brothers. God willing, the dream will be realized.

‘Well may some friend, his mind clouded with doubts, remark that, if help on the Khilafat issue can promote unity, there should be a similar bond between a lawyer and client. I see two fallacies in this doubt. The clients in India are so poor in spirit that they even worship the lawyer whom they have paid. A lawyer, then, who wants no return can easily buy his client as a slave. Those who have never seen Dadabhai, even such Indians, suffering from leprosy, with whom Dadabhai would never sit for a meal, worship that lawyer. Gokhale’s gratuitous pleading has gained him immortality. If twenty-two crores of Hindus intelligently plead for the Muslims on the Khilafat issue, I believe that they would for ever win the vote of the eight crores of Muslims. I stayed at Maulana Bari Saheb’s with love. He sent for a Brahmin cook for me and even had my milk warmed by him. He is a non-vegetarian but he did not let me catch even a glimpse of meat in his house. Because of his observing such decorum, our friendship was strengthened, not weakened.’

The Khilafat issue was a splendid opportunity as much as a grave problem before the people of India. It was a splendid opportunity because, if the Muslims used wisdom in solving the problem, then moral power would increase and India would come to enjoy a moral empire; Hindu-Muslim unity would increase, both Hindus and Muslims would grow stronger, their moral level would rise and the English would stop looking down upon us as an inferior equals. The English do not regard us as their equals; even we consider ourselves as their inferiors. And, therefore, we,

Hindus and Muslims, should solve this problem and ensure that the three become equals.

‘The sword makes men equal. After fighting with one another like so many bulls, till they all get exhausted, the opponents salute each other and become friends. Anyone who shows weakness will humiliate himself. The other method is, instead of using physical force against the opponent, to employ soul-force and with ascendancy over him. This ascendancy is accepted not out of fear but out of love, and so both become equals. One does not consider it humiliating to admit another’s moral superiority. The other takes no pride in being morally superior. Hence both behave respectfully towards each other. We must give up the very thought of overcoming the English by the sword.

‘I do not want to argue that it would be impossible for us to employ such force; only, in order to use it we shall have to resort to hypocrisy falsehood, treachery and so on, and even for employing these we shall have to acquire various other unprofitable abilities! We shall have to put forward all our strength against them and fight on till both of us are out of breath. They will not, naturally, let matters go so far that is human nature. Even in ancient times the arts of fighting were guarded secrets. A proud man does not easily part with the means of gratifying his pride. Strength of arms necessarily carries pride with it. Therefore, if we wish to be the equals of our enemies through force of arms, we shall have to press on till the point of their defeat and, at the end of it all, we shall for ever remain enemies. Can the Khilafat problem be solved in this way?

‘Leaving aside the question whether or not it is right to fight if we think merely of the result, we shall see that military strength will never solve this problem. The fight for the Khilafat is not solely against the English: it is a fight between Christians and Muslims. The Christians are very well united and well-versed in the art of war; the Muslims are not equipped, the Muslims of India evidently are not,

today at any rate, to try their strength against them, and the Hindus cannot stand shoulder to shoulder with the latter in a trial of strength. Under these circumstances, it is well-nigh impossible, from a practical point of view, for the Muslims to seek a settlement of the Khilafat issue by force.

‘One who tries his strength in fighting cannot say : ‘God’s will be done.’ He alone can say this who believes in fighting with moral force, for in such a contest defeat is out of the question. He who employs pure means may put his trust in fate, but he who uses impure means has no right to do so. The man who knowingly jumps into a well, balming God as he does so, will instantly receive his punishment; he will die an untimely death. If a man, drinking to the last drop in the bottle, prattles, ‘If it be God’s will that should get drunk, be it so,’ the world will laugh at him. In moral experiments, we may maintain unswerving faith in God, because we know that the outcome of such an experiment is always happy. The military man trusts to his weapons as the alcoholic trusts to the property of his drink to produce intoxication and, when the weapons break, he is like wax.

‘If, however, Hindus and Muslims equip themselves with the divine weapons of satyagraha, victory is certain. If they both refuse to be a party to the injustice being done by the Christians, who on earth can defeat them? If Muslims refuse to be a party to any injustice perpetrated on them, it is God’s promise to them that they will never be defeated; this is why I have said that it is our tight and our duty to refuse to help the British in their unjust acts. It is only by discharging this duty that the Muslims can defend their religion against the present attack on it.

‘Let us now examine the views expressed by the British Labour Party on the Khilafat issue. We summarize them elsewhere. This party declares that the Islamic Empire must be split up, that the Muslims themselves demand this. How can Indian Muslims oppose it? If the Arabs do not want to remain with the Ottomans, should they be kept

with them by force? As a satyagrahi, I can answer this question straightaway. I do not wish to deprive the Arabs of their freedom; let them be free, but let them recognize the suzerainty of the Khalifa and let the holy places remain under the control of the Khalifa. I need not fight if this is not done, but I would not co-operate either to bring about the opposite result. This injustice cannot be perpetrated without my co-operation. If every Hindu and every Muslim resigns from the service of the Government, what will be the result? The British will either have to leave India or respect our wishes. And so in my view all that is necessary is to have patience and wait for public opinion to be educated along the right lines. Will Muslims use the present awakening to good purpose or ill? They will prove themselves their own friends or foes. May God give them wisdom and may they maintain conditions in which Hindus can go all out to help them.'

In a speech on Khilafat in Bombay on 19 March 1920, Gandhi explained thus: 'It gives me the greatest pleasure to be able to move the only resolution of this great conference.

'I beg to congratulate the organizers and the volunteers on the splendid success of the peaceful demonstration of today. We had many warnings given to us as to the consequences that were likely to follow from suspension of business. Bombay at least has, thanks to the effort of the Khilafat Committee, behaved nobly in the matter. The hartal was spontaneous and voluntary. No pressure whatever was used. It was a matter of great satisfaction to me to note that the Committee followed the advice tendered by me that mill-hands should not be called upon to participate in the hartal.

'In these days of tension between employers and employees in the various industrial concerns of the country, we may not encourage labourers to absent themselves from work without the willing consent of the employers.

‘Our resolution divides itself into four parts, first part consists of a protest and a prayer. It protests against violent and irresponsible agitation set up in England in connection with the Khilafat question, and appeals to the Ministers and other statesmen to dissociate themselves from this agitation and reassure us of the fellow feeling of the people of the United Kingdom by securing an honourable settlement consistent with the just religious sentiments of the Mussalmans of India. The second part warns those concerned that an adverse solution is likely to eventuate in complete withdrawal of co-operation from the Government and will put an undue strain upon Indian loyalty, and if such a step unfortunately becomes a necessity there is likely to be excitement. The third part of the resolution warns the people in the most emphatic language against violence of speech or deed and gives it as the opinion of this great meeting that any exercise of violence is calculated to injure the sacred cause and to do irreparable harm. So far the resolution is a joint transaction between the Hindus, Mohammedans and others to whom this great land is their mother country or their adopted home.

‘And it commits the joint movement to a policy of non-violence in the course of the struggle. But Mohammedans have special Koranic obligations in which Hindus may or may not join. They, therefore, reserve to themselves the right, in the event of the failure of non-co-operation cum non-violence, in order to enforce justice, to resort to all such methods as may be enjoined by the Islamic scriptures. I venture heartily to associate myself with this resolution. I consider the resolution to be thoroughly respectful and moderate in tone. I see on the platform Shias and Sunnis, Hindus and Parsis, all joined together in a respectful demonstration. Complete closure of the great Hindu cloth market and Hindu business houses is an eloquent testimony of Hindu agreement with the Muslim demand. The unholy agitation set up in London has evoked an outburst of feeling

in India which will never die until justice is done. It is a matter of painful surprise that even Lord Curzon, with all his knowledge and experience of India, Should have allied himself with the ignorant agitation.

"There is however, a silver lining to the cloud that has gathered overhead. Mr. Montagu has been our uncompromising advocate. Mr. Lloyd George has at last reaffirmed his memorable declaration though in a somewhat halting form. I believe that the Government of India is pressing forward our claim with great firmness. The Anglo-Indian Press has not been hostile. The *Times of India* and the *Bengal Chamber of Commerce* have even warmly espoused our cause. The resolution invites all Englishmen to rally round the banner of Truth and vindicate British honour and the pledged word of the British Premier. I yield to no one in my loyalty to the British connection but I must refuse to buy that loyalty at the price of honour and at the sacrifice of the deeply-seated religious sentiments of one section of my countrymen. A loyalty that sells its soul is worth nothing, and if in spite of acknowledged services of Indian soldiers, both Hindu and Mohammedan, during the late War, the promises made by British statesmen are broken, the reasons that evoke the loyalty of India will cease to exist. I do not lose hope, but if the hope is disappointed and the worst happens, God alone knows what will happen to this fair land of ours. We know this that there will be neither peace nor rest for the Government or the people until the wrong is righted and the feeling of eight crores of Mohammedans are respected.

"I hope it is unnecessary to show why it is obligatory on Hindus to march side by side with their Mohammedan countrymen. So long as the means and the end are honourable, I can imagine no better cement for perpetually binding us both than our complete association with Mohammedans. But in a cause so sacred as this there can be, there should be, no violence either of speech or of deed. We must conquer not by

hate but by love. I admit the difficulty of loving the unjust, but victory consists not in marching along a smooth surface but in conquering obstacles in a resolute and undaunted way. And in a just and sacred cause, firmness, of purpose and unconquerable will are the least qualities required of us. Moreover violence can only damage this great cause. It may create a sensation but we shall never reach the goal through a series of sensations. The non-violence clause of the resolution, therefore, definitely recognizes the wisdom of self-restraint and enjoins upon all speakers to refrain from making wild or exaggerated speeches which can only lead to bloodshed, ruthless repression and humiliation of both the Government and the people. But the Mohammedans want to play a perfectly honourable game.

“They wish to reserve or suppress nothing. Some of them have, therefore, insisted upon the insertion of a proviso to the resolution, meaning that if non-violence fails, they are at liberty to resort to the other methods enjoined upon them by the Koran and these are that when their religion is assailed, they should leave the country in which it is assailed or war against the assailant. And so the resolution undoubtedly foreshadows, in the most honourable and unmistakable manner, the stages through which this great movement will pass, the last stage being a bloody revolution. God forbid that this country should have to pass through such a revolution and all its horrors but the feeling on this Khilafat question runs so high and goes so deep that an unjust solution may, if peaceful means fail, land this country in a revolutionary movement the like of which we have not seen before, and if it comes responsibility will rest with Englishmen, the Hindus and the timid Mohammedans. If Englishmen will only recognize the existence of the deep feeling and the necessity of a just decision, all would be well. If the Hindus will understand the neighbourly duty and actively co-operate with the Mohammedans, they can, by united and perfectly peaceful effort, force a just solution.

Timid Mohammedans by shedding their timidity at this critical moment of their history will also prevent bloodshed by letting the party of violence understand that there are no deserters of the flag of Islam. If, then, revolution is to be our lot, it will come through sheer despair staring honest, honourable, high-souled Mohammedans in the face and giving them a feeling of being neglected by Englishmen, Hindus and their co-religionists. In hope, therefore, that the whole of India will unite in a prayer to the Almighty and in a cry of justice that shall not be denied. I venture finally to hope that the Government will not anticipate revolution by thoughtless and angry repression. They will recognize that India is no longer an infant and that Indians have same feelings that actuate Englishmen in similar circumstances'.

In connection with the National Week, a public meeting of the citizens of Bombay was held under the auspices of the Central Khilafat Committee of India, on the open space near the French Bridge, Bombay. Mia Mahomed Haji Jan Mahomed Chhotani presided. Gandhi moved the following resolution:

'This meeting of the Hindus, Mohammedans and others, the inhabitants of Bombay, trusts that the Khilafat question will be solved consistent(ly) with the just demand of the Mohammedans of India and with the solemn pledges of His Majesty's Ministers and this meeting records its opinion that in the event of adverse decision being arrived at, it will be the duty of every Indian to withdraw co-operation from the Government until the pledges are fulfilled and Muslim sentiment conciliated.

'Mr. Gandhi said they had met there that night not exclusively in connection with the question of the Khilafat, but rather to look back on what had happened in India during the last twelve months. The two events that stood out most prominent among others were the inauguration of swadeshi and the laying of the foundation of genuine

Hindu-Muslim Unity. The first was started in April and the latter became an accomplished fact when Hindu and Muslim blood mingled together in Jallianwala Bagh. Since then, that unity had gone on increasing. He appealed to the Hindus to sympathize with and support their Mohammedan brethren. Muslim hearts were sore as they had never before been sore, over the threatened dismemberment of the Turkish Empire and over the question of Khilafat. If the Hindus failed to sympathize with the Mohammedans of the present occasion the great opportunity of cementing the unity would go, never perhaps to recur.

‘Proceeding Mr. Gandhi said he had never blindly supported cause and would never so support one. He asked them to support the Mohammedans because he felt that the Muslim cause was just. He had read the report of what happened at the interview between the Prime Minister and the Khilafat Deputation, and he found there was no demand urged by the Deputation that was not just. Now what they naturally expected in the Prime Minister of the British Empire was that he should adhere to the solemn promises he had made whilst the War was on, regarding the Turkish question. What the Muslims of India wanted was that the *status quo ante bellum* should be maintained as far as possible regarding Turkey. They desired, among other things, that Constantinople and Turkey-in-Europe should remain in Turkish hands, and that there should be Turkish suzerainty over the Jazirat-ul-Arab. As to those parts of Turkey which had a majority of non-Muslim population, the European powers might ask for whatever guarantees they liked from Turkey for the protection of the non-Muslim races provided those guarantee were not prejudicial to the position of the Sultan. If the Arabs, who were Muslims, wanted self-government they might have it but there should be the suzerainty of the Sultan over them. When they in India asked for self-government it did not mean that they did not want British rule. There was no Hindu or Mohammedan who

was against the British flag waving over India. Similarly, Arabia might be granted self-government but the suzerainty of the Sultan should be there. In conclusion, Mr. Gandhi earnestly entreated his Mohammedan brethren to refrain from violence. Their cause was just and with God's help it was bound to triumph.'

In a Khilafat conference held at Broach on 2 June 1921, Gandhi gave vent to his feelings thus: 'Mr. Gandhi, in moving the seventh resolution, said that he knew that they were willing to go home soon and, therefore, he would not speak at length. They knew where Bannu was situated. The views he held on the Frontier question were well-known to the President, and, therefore, he was asked to move the resolution in question. The Muslims of Bannu were armed with sticks and other weapons. They were god-fearing and they were aware of the Khilafat question. Had the oppression fallen on us as much as on the Muslims of Bannu, he was sure they would have run. away from the place immediately. Some of them were barristers and well-known persons. They had now sent them a message to carry on their campaign on the basis of truth.

'God had been examining them how far they were getting on with provocative actions of Government. They had three ways to resort to whereas the speaker had only one and that was *jehad*. He would do that with Muslims if they resorted to violence. They might make use of the sword, but he would not. If any Muslim were to unsheathe the sword, he would be committing a great folly. He was, at that time, speaking mainly of Khilafat and not of swaraj. They had already warned Government that they should not instigate and oppress the people. The Ali Brothers were willing to suffer any hardship of Government but they would still follow in the path of non-violent non-co-operation. They should not pay taxes to Government, and do their utmost to help the non-co-operation movement. The Muslims must carry on their national work in Ramadan.

Some Hindus were telling him yesterday that the Muslims were telling him [sic] to kill cows and if they did not resort to that action they would be committing a great crime. Just as Mecca Shariff was their holy place, in the same way cow was a holy and sacred animal to him. Before resorting to that action they must consult the Ali Brothers. He was sure that Muslims would not do that action. Muslims would be considered always as equals with Hindus, they would be given every right enjoyed by Hindus. They must have faith and confidence in him and in his great movement. He lastly prayed to God to give them enough strength to carry on the national work successfully and peacefully'.

In an article on 'The Turkish Question' in the issue of *Young India*, dated 29th June 1921, Gandhi stated, 'If we mean really well by our Mussalman brethren, we must sympathize with them over the movement going on in Europe to destroy Turkish nationalism. It is a thousand pities that the British Government is secretly or openly leading the movement. Let Hindus not be frightened by Pan-Islamism. It is not—it need not be—anti-Indian or anti-Hindu. Mussalmans must wish well to every Mussalman state, and even assist any such state, if it is undeservedly in peril. And Hindus, if they are true friends of Mussalmans, cannot but share the latter's feelings. We must therefore co-operate with our Mussalman brethren in their attempt to save the Turkish Empire in Europe from extinction.

'Hindus may not then be agitated when Mussalmans become alarmed at the slightest hint that the British Government might openly join the Greeks against the Turkish Government in Angora. If Britain should go so mad, India cannot possibly help the British Government in any such design upon Turkey. It would be tantamount to a war with Islam.

'England has her choice. She can no longer hold the awakened Hindus and Mussalmans as slaves. If India is to remain equal partner with every other member of the

Empire, India's voting strength must be infinitely superior to that of any other member. In a free commonwealth, every partner has as much right to retire if the rest go wrong, as it is his duty to remain so long as the rest are faithful to certain common principles, if India votes the secret and the invincible power of non-violence. When she has learnt that lesson, she is ready to take up all the stages of non-co-operation including non-payment of taxes. India is not ready today, but if we would be prepared to frustrate every plot that may be hatched for the destruction of Turkey or for prolonging our subjection we must secure an atmosphere of enlightened non-violence as fast as possible, not the non-violence of the weak but the non-violence of the strong, who would disdain to kill but would gladly die for the vindication of truth'.

In a meeting of Muslim women convened in Bombay, on 19th July 1921, Gandhi stated that he had long connections with Mussalmans and that the gentleman who took him to Africa for the first time was a Muslim friend. He regarded all those present to be his sisters. All their efforts for the attainment of *swaraj* were meant for safeguarding their religion and there was no distinction whatsoever in his mind between the Hindus and the Muslims.

The Mahatma said that, in his opinion, all religions were good. Sometimes mistakes crept into religion at the instance of some misguided followers. Whatever was written in the holy *Koran* was all good, and there was truth in all religions. They all stood up for the cause of Islam and they did not want at all a Satanic *raj* in the world. He received a telegram from Aligarh intimating him that Sherwani had been sent to jail notwithstanding the fact that he was working for peace. According to him there might arise an occasion when all good men might be sent to jail, and everybody should be ready for that occasion. In Africa, Hindus and Muslims, regardless of sex, went to jail and preserved the honour of their country. Those who were

steeped in luxury would be unable to bear jail life where they would not get tea ten times a day and would not get fine clothes.

‘For the sake of your religion you should give up all luxury, and begin to wear khadi. Until India gets swaraj and the Khilafat and the Punjab wrongs are righted, everybody should regard foreign cloth as not permissible. When we get swaraj, we would be able to prepare all kinds of Swadeshi cloth and so you shall have to give up all luxury for six months.’

He was very happy to hear of the spinning of Mrs. Haji Yousuf Sobhani. He advised them to keep the *charkha* near them as they kept their sons in their laps. Remembering God in their heart, they should spin on the *charkha* for the sake of *Swaraj* and Khilafat at least for some hours every day. By the *charkha* not only the honour of Indian womanhood would be preserved, but they would be in a position to earn an independent living within doors. They could do more for the cause of their country by the *charkha* than by the sword. Many Indians got about Rs. 8 to Rs. 15 a month which was not quite sufficient for the maintenance of their families.

Continuing, the Mahatma said that they could manufacture the best Dacca muslin formerly, but owing to the present government, their weavers were in a sorry plight and were quite unable to do their professional work. They should not go to Manchester for fine cloth. One Indian woman had given him an embroidered *sari* weighing about twelve *seers* and if they could wear *saris* of such weight, why could they not wear *saris* made of *khaddar*? Women could undergo greater pains and trouble than men and therefore nothing prevented them from the free use of the *khadi*. Mrs. Mazhar-ul-Huq gave him four bangles of diamond. Such a sacrifice showed that swaraj was coming nearer for women loved their ornaments very much. That woman was beautiful who had got in her heart the idea of God. They should give up all outward signs of beauty. They should not

go to Japan, France and China for fine cloth. They should all pray for the success of Hindus and Muslims, but their prayers would be effective when they had pure hearts and bodies covered with *swadeshi cloth*. That was a difficult resolution. But if they once determined to resort to it, it would be very easy indeed.

In another article on 'The Khilafat' in *Young India*, Gandhi supported the cause of Muslims, 'At Lucknow I found natural impatience on the part of the Mussalmans regarding the Khilafat. Maulvi Salamatulla voiced in moderate language the public feeling regarding the position of the Angora Government when he said that the British attitude was becoming unbearable. There is no doubt about the growing distrust of the British declarations about friendliness towards the Turks. Nobody believes either that the British declarations are genuine or that the British Government is powerless to afford relief. In their impatient anger the Mussalmans ask for more energetic and more prompt action by the Congress and Khilafat organizations. To the Mussalmans *swaraj* means, as it must mean, India's ability to deal effectively with the Khilafat question. The Mussalmans of India are not to become impotent witnesses of the extinction of Turkey in European waters.

'It is impossible not to sympathize with this attitude. I would gladly recommend immediate action if I could think of any effective course. I would gladly ask for postponement of *swaraj* activity if thereby we could advance the interest of the Khilafat. I would gladly take up measures outside non-co-operation, if I could think of any in order to assuage the pain caused to the millions of Mussalmans.

'But, in my humble opinion, attainment of *swaraj* is the quickest method of righting the Khilafat wrong. Hence it is that for me the solution of the Khilafat question is attainment of *swaraj* and vice versa. The only way to help the afflicted Turks is for India to generate sufficient power to be able to assert herself. If she cannot develop that

power in time, there is no way out for India and she must resign herself to the inevitable. What can a paralytic do to stretch forth a helping hand to a neighbour but to try to cure himself of his paralysis? Mere ignorant, thoughtless and angry outburst of violence may give vent to pent-up rage but can bring no relief to Turkey. Nor can it increase the power of India to assert herself. And the measures taken to put down violence may well lessen the speed with which we are marching to our goal.

‘But there is no cause whatsoever for despair. The whole of the Congress programme has been framed and measures are being adopted to meet the Khilafat crisis. There is no doubt that two months for finishing the swadeshi work is a most intensive measure calculated to bring the best out of the nation. And if India completes the boycott by September and comes to her own in October, surely it must satisfy the most sanguine temperament and the most impatient and ardent Khilafatist as I claim myself to be.

‘The fact is that all the workers are not convinced of the possibility of completing the swadeshi programme during the time fixed or of its power to effect all that is claimed for it. Such doubters have to stand out, unless they can suggest a better and quicker method and get it accepted by the country. In spite of their doubt, they should faithfully plunge then selves into swadeshi work and give the experiment a fair trial. And does not this doubting of India’s ability to go through the swadeshi programme show, if the doubt is justified, that India has really no interest in the Khilafat or it has no desire to sacrifice anything for it? Is it a big sacrifice for every Hindu and Mussalman to discard all foreign cloth and to use only *khadi*? And if India is not to have that ability, will it not also be proof that India is unfit for any higher sacrifice and therefore unfit for helping Turkey? Let us all work for complete boycott of foreign cloth and the manufacture of the required quantity of *khadi* and we shall be in sight of the heaven.

‘A suggestion was seriously put forth at Lucknow that we should boycott Ralli Bros., a Greek firm, and avenge ourselves against the Greeks and should invite the labourers to stop work on the export cargo. The suggestions, it seems to me, are as absurd as they are impossible to carry out. Assume for one moment that we can in a moment extinguish the business of Ralli Bros., how can that affect the Greeks? Ralli Bros. do not send all or a great part of their flour to Greece. Theirs is a world trade. And it is more difficult to deal with their trade than with swadeshi. Any such attempt apart from its inherent wrong can only expose us to well-deserved ridicule. Interference with the labourers working on export cargo is equally fantastic. If we had such absolute control over the masses, we should have won our battle long ago. To stop the export of cargo requires not only a permanent or an indefinitely long stoppage of work by the existing labourers, but it presupposes our ability to stop any replacement of withdrawn labour. I fear we are not organized enough for the work. Any such attempt can only end in failure, if not worse.

The only feasible suggestion is the immediate taking up of civil disobedience. I am convinced that the country is not ready for its adoption on an extensive scale. It can be safely and successfully adopted, if the country evinces sufficient organizing ability, resourcefulness and discipline necessary for bringing the eminently practical swadeshi enterprise to a successful end. Let us hope and pray that the country will.’

Gandhi also moved a comprehensive resolution in a meeting of the citizens of Bombay reaffirming the following resolution of the Congress Working Committee which was passed on 5th October 1921. The Working Committee congratulates the Ali Brothers and their comrades upon their prosecution and having considered the Resolution of the Khilafat Conference held at Karachi, regarding Military Service under the Government, the Working Committee

is of opinion that the Resolution virtually reaffirms the principle laid down by the Congress at its special session in Calcutta, and its ordinary session in Nagpur last year, that it is contrary to national dignity and national interest for any Indian to engage or remain in the service of a Government in any capacity whatsoever; a Government that has used the soldiers for the purposes of crushing the national spirit of the Egyptians, the Turks, the Arabs and other nations. The Working Committee has been only deterred from calling out the soldiers and the civilians in the name of the Congress because the Congress is not yet ready to support these Government servants who may leave Government service and who may not be able themselves to find means of livelihood. The Working Committee, however, is of opinion that in pursuance of the spirit of the Congress Resolution on non co-operation it is the clear duty of every Government employee, whether soldier or civilian, who can support himself without Congress assistance to leave such service.

‘The Working Committee draws the attention of all Indian soldiers and police to the fact that carding and hand-spinning and hand-weaving afford them, by undergoing training for a brief period, an honourable means for independent livelihood. The Working Committee is further of opinion that the reasons given for the prosecution with reference to the said Karachi Resolution constitute an undue interference with religious liberty.’

In proposing the resolution Mahatma Gandhi said it divided itself into two parts. The first part dealt with the Karachi Resolution and was intended to be its confirmation from the national standpoint. And if it was a crime in the Ali Brother; and their fellow-prisoners to have supported the Resolution, it was a crime for the speaker and the audience to propose and pass the resolution. He considered it their duty to state their position clearly. It was their duty to inform the sepoy that it was wrong to help a Government

which had forfeited the confidence of the country. The speaker was informed that the resolution was said to be worded cleverly after the fashion of a lawyer so as to avoid the clutches of the law. It was said that, like the Khilafat Resolution, the present one did not require everyone to tell the sepoy to lay down arms. He differed from that view. He was of opinion that by the resolution everyone endorsing it told the sepoy that it was his duty to give up service if only he could support himself otherwise. If his voice could reach the sepoy he certainly told him that if he believed in his faith whether he was a Hindu or a Mussalman or believed in his own country, he should leave the service even if he had to earn his livelihood by breaking stones. One who wanted to be a soldier of India could not be a sepoy of a Government which has served against India. Those who murdered the innocent men of Jallianwala were no soldiers; they were mere animals. Those who ran no risks, but only killed were again no soldiers but animals. He had, therefore, no hesitation in telling the sepoy through the audience that he should lose no time in severing his connection with the Government if he cared for his country and religion.

One thing the resolution did not require the people to do, namely, to carry on secret propaganda. They had ruled out secrecy from their book of non-co operation. They were ashamed to say in secret what they were not prepared to say in public. If, therefore, the Government held it a crime to recite the creed of non-co-operation, he invited them to arrest those who took part in the evening's proceedings. If it was a crime to tell the soldier that it was unlawful for him to serve the Government in terms of his religion and nationalism, he (the speaker) invited Government to arrest him and those who supported and carried the resolution.

The other part of the resolution pointed out to the soldier the way to an honourable livelihood. It referred to swadeshi. He asked the audience not to carry that resolution if they did not believe in swadeshi and the power

of the spinning-wheel to banish poverty from the land. The resolution told the soldier that he could earn his living by carding and weaving. He verily believed with Maulana Mohamed Ali that they did not need lead and gunpowder. Yarn balls were their lead and the spinning-wheel was their gun. He said last September that it was possible to gain *swaraj*, to redress the Khilafat and the Punjab wrongs during the twelve months following if they fulfilled certain conditions. Twelve months had passed but there was no *swaraj*. The fault was theirs. They had done much but had not fulfilled the minimum required. He wished to share the blame.

He was sorry that he had not the power of convincing every lawyer that it was wrong to practise before the courts which gave no justice. He was sorry that his *tapasya* was not enough to carry conviction to every student that it was wrong to belong to Government schools. He knew that he had not been able to convince every man and woman of Bombay that it was sinful to wear anything but *khaddar*. But they need not mind him. If the country still carried out the swadeshi programme during the month, *swaraj* was a certainty during the year and so was redress of the Khilafat and the Punjab wrongs. He adhered to his faith in the spinning-wheel. He had no doubt that it and it alone could solve the problem of India's poverty. Its acceptance, to him, was a test of the reality of Hindu-Muslim unity and (of freedom) from violence. He would not be party to general civil disobedience if they could not fulfil the swadeshi programme. He would not be satisfied unless *Khaddar* had become universal; foreign cloth a rarity. He wanted to see the men and women of Bombay to be dressed in *khaddar* only. He was told that the sale of *khaddar* was to the extent of Rs. 18,000 in July, Rs. 13,000 in August and Rs. 7,000 in September in Khadi Bhandar. He wanted to see lakhs worth of Khadi sold. He wanted to see the spinning-wheel at work in every house in Bombay. Bombay had led in the

matter of Tilak Swaraj Fund. Let Bombay lead in *swadeshi* and gain the privilege of offering general civil disobedience. He had erred in the April of 1919 in hastily embarking on civil disobedience. He was a very imperfect human being, liable to err. God alone was free from error. But he was knowing enough not to err twice about the same thing. He could not advise civil disobedience without *swadeshi*. He knew the science of civil disobedience. He knew its power and its risks. A completely non-violent atmosphere was a necessity, and it could not be ensured unless the nation had recognized the power of the spinning-wheel and settled down to it. If they believed in *swadeshi* and its results, he expected to see a spinning wheel at work in every home, he expected all castes and creeds to taken the spinning-wheel and *khaddar*. He expected princely men to take to *charkha* and the mill-hands to take up the spinning-wheel. And when they had done that they would safely go to individual soldier and openly ask him to give up his service.

The controversial issue of the Ali Brothers was narrated in an article entitled 'Interview-cum-Apology' in *Young India*. The Viceroy's attention was directed, and notably by Gandhi, to various statements that had appeared, and to inferences that had been drawn in the public press, relating to the conversations between the Viceroy and Gandhi concerning Shaukat Ali and Mahomed Ali, which in some respects did not correctly represent the purport of those communication.

The interviews between the Viceroy and Gandhi resulted from a conversation between the Viceroy and Pandit Malaviya relating to the conditions generally prevailing in India. The viceroy informed Malaviya of the government's decision to commence criminal proceedings against Shaukat Ali for having made speeches inciting to violence and the discussion turned upon the disturbances that might possibly ensure. Malaviya expressed the opinion that it would be of advantage for the Viceroy to meet Gandhi. The Viceroy

replied that he would be glad to meet Gandhi and hear his views if he applied for an interview. On the next day, Andrews saw the Viceroy and suggested that he should see Gandhi. It should be observed that various important matters were discussed during these conversations and that the proposed interview between the Viceroy and Gandhi was intended to have reference to the situation generally. The Viceroy was, however, aware that Malaviya in inviting Gandhi to Shimla did not refer to the contemplated proceedings against Shaukat Ali and Mahomed Ali.

In due course, Gandhi came to Shimla, at the request of Malaviya and Andrews, and asked for an interview with the Viceroy, which was immediately arranged. At the first interview no mention was made of the proposed prosecutions. The conversation related to the causes of discontent in India. Upon the next occasion the Viceroy stated that, according to the government reports, responsible non-co-operators had made speeches inciting to violence contrary to the doctrine advocated by Gandhi. He indeed repudiated incitement to violence on the part of any of the responsible non-co-operators and said that if he was satisfied that any of them had incited to violence, he would publicly repudiate them and their teachings unless they withdrew their statements that amounted to incitement to violence. The Viceroy mentioned the names of the Ali Brothers and promised to show Gandhi passages in their speeches which, in his opinion, were calculated to incite to violence, and when the passages were actually read to Gandhi, he admitted that they were capable of bearing the interpretation the Viceroy put upon them. He, however, asserted that he was convinced that it was not intended by Shaukat Ali and Mahomed Ali to incite the audience to violence. He added that he would see them as soon as he left Shimla and advise them to express publicly their regret for the unintentional incitement contained in the passages. The Viceroy, thereupon, asked whether, in view of the

importance of the document, Gandhi would show him the draft of the statement he intended to advise Shaukat Ali and Mahomed Ali to publish.

It was at this stage that the Viceroy said that it was proposed to institute criminal proceedings against Shaukat Ali and Mahomed Ali in respect of these passages and that, if Gandhi showed him the statement and it satisfied him from the standpoint of his government, he would use his influence to prevent the institution of prosecution, for, the Viceroy said, the object of the government would be attained if the making of speeches of a violent character was in future prevented.

The draft statement was duly shown by Gandhi to His Excellency, who pointed out that the introduction of certain paragraphs gave the statement the appearance of a manifesto including that of the religious creed of Shaukat Ali and Mahomed Ali. The Viceroy observed further that the statement was incomplete so far as it did not contain a promise to refrain in the future from the speeches inciting to violence and added that after publication of the statement Shaukat Ali and Mahomed Ali could give any explanation by means of speeches provided they did not infringe the law. At this Gandhi agreed to delete the paragraphs in question and to add a passage to cover promises of future conduct. The Viceroy then informed Gandhi that if Shaukat Ali and Mahomed Ali signed the statement as then altered by Gandhi, with the addition of the promise as to the future conduct, steps would be taken to suspend the institution of proceedings and that no prosecution would take place so long as the promises given in the published statement were observed. The government remained free to take up prosecutions for the past speeches. The Viceroy added that, in the event of the publication of the statement by Shaukat Ali and Mahomed Ali and of the government refraining in consequence from the prosecutions it would be necessary to issue a communique explaining the altitude of

the government. There was however no desire to bargain. Gandhi even said that, whether the prosecutions took place or not, he would be bound, after having shown the extracts to his friends for their own honour and that of the cause to advise them to express publicly their regret.

During the whole discussion the Viceroy and Gandhi were actuated by the desire to prevent any untoward events that might result from the prosecutions, as also to prevent speeches inciting to violence. The Viceroy informed Gandhi that he might not be able to prevent the commencement of proceedings if the statement was not published with the least possible delay. There was already much discussion of the speeches not only in India but also in the United Kingdom. Gandhi agreed that the statement should be published without delay and then left Simla and some days afterwards telegraphed to the Viceroy that Shaukat Ali and Mahomed Ali had signed the statement with immaterial alteration and sent it to the press for publication. The alteration was as follows:— For the passage in Gandhi's draft statement: "We desire to state that we never intended to incite to violence but we recognize that certain passages in our speeches are capable of bearing the interpretation put upon them." Shaukat Ali and Mahomed Ali put, "We desire to state that we never intended to incite to violence, and we never imagined that any passages in our speeches were capable of bearing the interpretation put upon them, but we recognize the force of our friends argument and interpretation."

After the publication of the statement an official communique was issued by the government. The terms of the communique were not actually settled until just before its issue and Gandhi never saw it although the substance of it as already indicated had been communicated to him. The main part of the interviews between the Viceroy and Gandhi consisted of conversations which ranged over the various causes of **discontent** in India including the Punjab

disturbances, the Khilafat agitation, the Treaty of Sevres and the general conditions of the people. Gandhi did not submit any scheme of *swaraj* to the Viceroy nor was a scheme of *swaraj* discussed at the interviews.

Jawaharlal Nehru commented thus: 'Among the Muslims there was anger over the treatment of Turkey and the Khilafat question and an agitation was growing. The treaty with Turkey had not been signed yet, but the whole situation was ominous. So, while they agitated, they waited—In India the Khilafat Committee came more and more under Gandhiji's influence and began to flirt with his ideas of non-violent, non-cooperation...A Khilafat deputation was going to wait on the Viceroy, and Gandhiji was to join it. Before he reached Delhi, however, a draft of the proposed address was, according to custom, sent to the Viceroy. When Gandhiji arrived and read this draft, he strongly disapproved of it and even said that he could not be a party to the deputation, if this draft was not materially altered. His objection was that the draft was vague and wordy and there was no clear indication in it of the absolute minimum demands which the Muslims must have. He said that this was not fair to the Viceroy and the British Government, or to the people, or to themselves. They must not make exaggerated demands which they were not going to press, but should state the minimum clearly and without possibility of doubt, and stand by it to the death. If they were serious, this was the only right and honourable course to adopt.

'This argument was a novel one in political or other circles in India. We were used to vague exaggerations and flowery language and always there was an idea of the bargain in our minds.'

Lajpat Rai opined in *The Political Future of India* in 1919, 'With 70 million Moslems India is the most important centre of Mohammedan sentiment. With Christians as their present rulers, the Hindus and Mohammedans of India

are coming to realise that their best interests require a closing up of their ranks...The Hindus will stand by their Mohammedan countrymen in all their efforts to revive the glory of Islam, and to regain political independence for it. There is no fear of a Pan-Islamic movement if the new spirit of internationalism prevails. If, however, it does not, the Pan-Islamic movement might find a sympathetic hand in India...’.

The bureaucracy apprehended a grave danger to the smooth functioning of their administrative machinery. The government sources opined on 28 October 1920, ‘It must be frankly admitted that the situation has developed very rapidly, more rapidly than anticipated, owing to what is taken to be virtual surrender of Britain to the non-co-operation movement in Egypt and more lately in Mesopotamia, but there is always a rapid development in all popular causes in the first flush of enthusiasm, and the possibilities are that results are not far short of their high-water mark and will not get much further, provided nothing unforeseen occurs. The situation is undoubtedly grave and very delicate. There is therefore all the greater need for caution just now and action only when there is a perfectly clear and overwhelming case; otherwise the Government of India will only be consolidating a situation against themselves, which at present shows every indication of developing to our advantage, and thus precipitating a crisis everyone is an anxious to avoid.

The series of Khilafat conferences held at various places from time to time, under the presidentship of prominent leaders, proved very effective in inculcating *anti-Raj* spirit amongst Muslims and their supporters. Such a meeting was held at the Benarsi Krishna Theatre, Delhi on 19 April 1920 and there were about 500 delegates and the audience amounted to nearly 2,000 persons. The prominent leaders who attended the meeting were Abdul Qayyum Haqqani, Maulvi Ahmed Said, Maulvi Muhammad Daud Ghaznavi

of Amritsar, Maulvi Bashir Ahmed of Lahore, Tafazzul Hussain, Tajuddin, Abbas Hussain, Abdullah Churiwala, Arif Haswi, Manzoor Ahmad, Inder, Syed Ataulla Shah of Amritsar, Raziuddin Ahmed, Ghulam Muhammad Aziz of Amritsar, Sunder Singh of Amritsar, Bawa Amar Singh of Amritsar, Lal Khan of Gujranwala, Wazir Hussain of Muzzafarnagar, Nisar Ali of Ajmer and Ibrahim Khalil Arab.

Maulvi Ahmed Said favoured the idea of boycotting English goods and recommended the use of *swadeshi* goods. He offered his services and wealth to any of the workers who were willing to bear death or jail if need be in the case of Islam. He spoke at length on the point of migration to Afghanistan and urged the people to take advantage of the Amir's offer and leave India. He told them that if they were not allowed to do this they should go to jail and act according to the doctrine of Satyagraha. He accused Muhammadans of not being united and of not respecting their leaders as Hindus respected Gandhi. He accused the English of having arrested the *Sheikh-ul-Islam* of Turkey by treachery and pointed out that the English did everything by treachery. He called upon title-holders to return their titles to Government and follow the example set by Hakim Ajmal Khan. He accused certain title-holders of remaining in the service of Government while Islam was suffering. He informed them that those who gave up their employment under government would go to heaven.

Similarly Maulvi Muhammad Daud Ghaznavi upbraided the government for its tyranny and drew comparisons between the Turkish massacres of Armenians and the Punjab disturbances. He said that a nation with a black list of records against them such as the government had could not be called a just nation. He asked the audience if they were waiting for the mosque of Sophia at Constantinople to be turned into Church and the *Khalifat-ul-Muslemen* to be murdered. He called upon them to follow God and said that

they could not serve both God and mammon. He encouraged them by saying that they had nothing to fear from the British government. He further stated that the Czar of Russia had learnt his lesson, but the British government would not take heed and would soon meet with the same fate. He also accused Indians of murdering the Turks by helping the British in the war and called upon the hearers to do their best to 'ruin' the government.

Syed Ataullah of Amritsar prefixed his speech by reading out verses from the *Quran*. He informed the audience that it was useless their begging for what they wanted. They should get it either by *jihad* or *hijrat*. Since the Amir of Afghanistan had expressed his willingness to receive the people of India if they should migrate they should lose no opportunity of taking advantage of the offer. He drew the attention of Muslims to the practice of not keeping beards and said that if the Afghans came to India to help Muslims they would kill all who were beardless, taking them for enemies of Islam. He 'violently' urged Muslim domestic servants to leave the employment of their European masters, and said that subscriptions would be raised to support them, and that each would be paid' Rs. 30/- a month. When Europeans found that they could not get their food, they would leave India. He explained that if he had been a cook, his master would not have remained. He concluded his speech by referring to Englishmen as elephants and sheep of Christ, and themselves as ants. When an ant got into the trunk of an elephant and bit the elephant was dead, so also would they bite and Englishmen would not live.

Maulana Abdul Bari stated on 15 October 1920 at Lucknow, 'If an Englishman has given his life here, lacs of Hindus and Muhammadans have been killed there. If lacs of Muhammadans have been massacred there in Smyrna, and if after this anyone killed Christians, they have wreaked vengeance on Constantinople. If that man has killed for the

sake of religion, he will become a martyr. If he is killed, paradise is waiting for him and the virgins are standing with cups for him. It is the duty of the Muhammadans to do everything by which liberty may be secured.'

The members of the Khilafat Deputation presented a Memorial to the Viceroy on the subject of the Turkish Peace Terms '...The preservation of the Khilafat as a temporal no less than a spiritual institution is not so much a part of their faith as the very essence 'thereof, and no analogies from other creeds that tolerate the lacerating and devitalizing distinction between things spiritual and things temporal, between the Church and the State, can serve any purpose save that of clouding and befogging the clearest of issues. Temporal power is of the very essence of the institution of the Khilafat, and Musalmans can never agree to any change in its character or to the dismemberment of its Empire.

'The no less important question of the Jazirat-ul-Arab, over no portion of which can any kind of non-Muslim control be tolerated, is equally clearly not one of Muslim sentiment, but of Islamic faith.

'Similarly, Islam also declares and defines the sanctity of the Holy Places of Islam, and places this and similar matters beyond the uniformed interpretation of people of alien faiths, Mussalmans insist, and with perfect reason, that the Khalifa alone shall be the warden of the Holy Places'.

In a lengthy telegram to the Secretary of State on 26 January 1921, the Viceroy explained thus the political situation in India, '...The Muslim unrest over the Turkish peace terms is however one of the most dangerous factors in the problem which confronts us. Whatever the origin of the Khilafat movement may have been, it is now pre-eminently a religious one which has secured very general support. Even loyal Mahomedans, feeling rightly or wrongly that the terms are not just or consistent with published

pledges, cannot oppose the movement or face the religious pressure that is brought to bear on them more especially the accusation of being *kafirs*...we have however reason to know that the extreme Mahomedan leaders are quite prepared to advocate immediate recourse to violence and are confident of securing support for such movement within and outside India by an appeal to ignorant and fanatical Musalmans that Islam is being crushed; the danger of disorder will also be greater when the non-violent programme fails. We fear, in these circumstances, that the refusal substantially to modify the Turkish peace terms more particularly because of the general and deep-rooted conviction that England alone blocks the way may have consequences of very grave character on the peace and tranquillity of India and in view of our responsibility to His Majesty's Government, to Parliament and to the people of India, we feel incumbent on us, once more to place on official record in the plainest language our deep misgivings on this subject. It is our considered opinion that the only way of eradicating or even allowing Muslim excitement is by a real modification of the treaty... We are well aware that any such modification will not appease the extremist clause of political agitators, but we feel that if you succeed in securing it, you will strengthen very greatly the bands of our friends, detach from the present anti-Government agitation a most influential section of Mahomedan opinion, namely the section actuated by religious motives and will materially assist us in avoiding serious internal disorder.'

As a protest against the terms of the Treaty of Peace with Turkey, Hakim Ajmal Khan of Delhi, to whom the Kaisar-i-Hind Medal of the First Class was awarded on the 1st January 1915 returned the medal to the government of India, together with the silver medal granted to him on the occasion of the Coronation of His Majesty and that of the Coronation Durbar of 1912. Besides he apprised Gandhi of the relationship between Hindus and Muslims on 17 March

1922. He stated, 'I have no doubt that the secret of the progress of our country lies in the unity of the Hindus, the Mussalmans and other races of India...I prize the unity of races inhabiting our country that, if the country gave up all other activities and achieved that alone, I would consider the Khilafat and the *swaraj* questions automatically solved to our satisfaction...We can only achieve it by the sincerity and purity of our hearts.

'I do not consider the question of the Khilafat, in other words, the question of the evolution of Islamic policy, a passing phase. God alone knows how and when it will finally be solved...It is an admitted fact that looking to the present condition of India, next to Hindu-Muslim unity in importance is the question of non-violence... Unity of the races inhabiting India and non-violence are the two essential conditions for the success of the present movement.'

The similar sentiments were expressed by Gandhi in his communication with M. A. Ansari. 'Not a single day passes when I do not think of the Brothers and their sorrows. The Khilafat is dear to every Mussalman, but the Ali Brothers have made its prestige and honour their life-work. I can therefore understand how the decision of the Turkish Assembly must have shaken them...Mahomed Ali will bring me all the messages from Shaukat Ali and that would be quite sufficient to go on with. As far as I am concerned, there is not much really that I now want to know except the views of yourself and the Brothers and of a few others whose opinions I value. My mind is practically made up, and I am becoming impatient to deliver my soul.'

Role of Ali Brothers

For three decades the Ali Brothers played a dominant role in the political issues which cropped up as a result of the Balkan Wars, the Kanpur Mosque Crisis, the First World War, the Treaty of Versailles, the Khilafat Movement, the first Non-Cooperation Movement, the Swarajist politics, All-Parties Conference and last but not the least the Round Table Conference.

‘The Ali Brothers originally entered Indian politics to protect the Islamic States from British domination and subsequently started the Khilafat movement to save the sanctity of the holy places. Fundamentally religious but with a political tinge, it was the only movement in which the masses, both Hindus and Muslims, jointly stood to supplant the British. For the first time, the movement brought all Muslims of different shades of opinion on one platform, trained them in political action and agitation, and dashed the myth of Muslim loyalty to the British to pieces. Both the Muslim radicals—Mohamed Ali, Shaukat Ali, Zafar Ali Khan, Maulana Abul Kalam Azad and Hasrat Mohani—and the loyalists—the Aga Khan, Ameer Ali and Abbas Ali Baig had an identical aim, which was to save the holy places of Islam.’

Mohamed Ali’s contribution to Muslim politics cannot be ignored. He carried forward the legacy of Sir Syed. He himself was the product of Aligarh movement. The movement rescued the Muslims from ignorance, lethargy

and helplessness. Mohamed Ali taught them "to discard foreign influences in life, to learn self-reliance, live for causes and die for them."

'Mohamed Ali was the first leader who consciously and successfully attempted to explore the possibilities of bringing together the *Ulema* and the western educated youth. He thought that this would strengthen Islam as well as promote India's Independence.'

Through the columns of *The Comrade*, Mohamed Ali gave vent to his feelings about pan-Islamism. "The progressive forces of modern civilization have no doubt produced a spirit of restlessness, in the Mussalman population of the world. But this unrest is entirely the outcome of their consciousness about their intellectual and moral, degradation. They want to reform their society, to grow in knowledge and self-respect and to enjoy all the amenities of an age of progress and freedom. Every Mussalman sympathizes with his brother Mussalman in this desire, be they as far apart as Morocco and China. Surely there is nothing dangerous and immoral in this aspiration.' His writings in his paper and speeches in public greatly stirred the Indian Muslims and awakened their feelings and sentiments towards Indian nationalism. He severally criticised the British policy of supporting the Christians in Europe while continueing the policy of persecution against the Turks. Amidst a huge gathering at Jama Masjid in Delhi, he apprised the Muslims of the righteousness of their cause and emphatically affirmed that the defeat of Turkey was the defeat of Islam. He characterized the Balkan war as the last fight of the Turks.

Mohamed Ali clearly stated about the concept of *swaraj*: 'Our *Swaraj* must be the *Raj* of all, and, in order to be that, it must have been won through the willing sacrifice of all... *Swaraj* must be won by the minimum sacrifice of the maximum number, and not by the maximum sacrifice of the minimum number. Since I had full faith, in the possibilities

of the programme constructive work of non-violent Non-Cooperation, I have no need to hanker after violence.

‘Where God commands I am a Muslim first, a Muslim second and a Muslim last, and nothing but a Muslim... My first duty is to my Maker, not to His Majesty the King. But where India is concerned, where India’s freedom is concerned, where the welfare of India is concerned, I am an Indian first, an Indian second, an Indian last, and nothing but an Indian.

‘But where our country is concerned, where the question of taxation is concerned, where our crops are concerned, where the weather is concerned, where all associations in those thousands of matters of ordinary life are concerned, which are for the welfare of India, how can I say, “I am a Muslim and he is Hindu?”

Greatly influenced by the political ideology of Bal Gangadhar Tilak, he acknowledged him as his political Guru. Both of them, made use of religion to provide a mass base to Indian politics. Whereas their main aim was the same *i.e.* the attainment of self-government, their method of the achievement of that goal did not, differ in any sense *i.e.* was through mass agitation. It was Tilak’s influence which made Mahomed Ali realize the necessity and significance of mass contact.

Mahomed Ali had confirmed belief in the fact that the basic teaching of Islam was peace and not war and hatred. This kind of feeling and working of his mind led him to join the Non-Cooperation Movement in 1920-22. With all his linkage with the contemporary Islamic politics, he did not show any kind of slackness in lending his support to Gandhi. He would not accept anything which conflicted with Islam. He stated, ‘Islam is not a bundle of dogmas and doctrines that theologians plague humanity with. It is a complete scheme of life, a perfect code of right conduct and a comprehensive social polity as wide as the human race and in fact as wide as the human creation’.

A passionate propagandist and a restless spirited leader as he was, his ideology was greatly moulded by his western education as well as by his ardent faith in Islam. He was not a man to accept facts as facts. He was a born revolutionary aiming to destroy all that did not conform to his ideal, even though he might not be able to reconstruct what he had destroyed.'

His sympathy with Turkey may be described as religious and not as political. The purpose was to exercise the right as British subjects to put such pressure upon our Governments as we lawfully could not respect our religious requirements on the satisfaction of which our political allegiance rested. He stated, 'God before every-thing-God before loyalty, God before King, God before patriotism, God before my country, God before my father, Mother and Child. This is my faith.' He was thus of the opinion that the basis of Pan-Islamism is one God, one Prophet, One Ka'ba and One Book, the Quran. To him the Khilafat is 'the most essential institution of the Muslim Community throughout the world. At all time since the death of the Prophet, there has been a Khilafat, and it must be pressed at all time by the entire body of the Mussalmans. According to him, 'Our sympathy with Turkey was not political or territorial but religious, for the sovereign of Turkey was the successor of the Prophet and the commander of the faithful.'

Mohamed Ali preached Pan-Islamism from the Khilafat Committee as well as the Congress platforms. He wanted to accomplish this in India. "To die for a cause is not difficult. The harder thing is to live for a cause, and if need be, suffer for it,... and the cause we must live and suffer for must be the realisation in India of the Kingdom of God."

Undoubtedly, Mohamed Ali was fully conscious of the religious differences between the two major communities of the country. He, however, maintained his linkage with the Indian National Congress as well as with Mahatma Gandhi's ideology. But there were a few factors which impelled him to

give up this linkage and to take a separate line of action. The cause of Khilafat, supported and sponsored for a few years, could not come to fruition on account of some international developments. The communal riots perpetrated in various regions of India had marred the atmosphere and the efforts of the Congress leaders, at various levels, to contain these riots could not bear results as were expected. This and other factors led to doubts in the working of minds of the leaders. Serious differences began to develop with the Congress leadership. Mohamed Ali began to give vent to his feelings in a way which ultimately made him sever his relationship with Gandhi and the Indian National Congress. He said, 'I do not wish to create a home-made incubus of a caste of shopkeepers of our own. To my mind most of the agitation is being financed, and partly for selfish reasons, by the Banias of Bombay and Gujarat.'

'Mohamed Ali's emotional disposition in religious matters had surely much to do with the nature and with the promptness of his response to events in Turkey. In this context there is no reason at all to doubt the sincerity of his indignation, aroused by the machinations of some European Powers, and his genuinely-felt emotional concern for the safety of the Holy places. The opinion, presented by Francis Robinson and others, that it was all feigned, that he was simply playing the pan-Islamist, cannot be seriously defended. Calculation comes in, not in pretending an emotion which is not there, but in deciding how much of a genuinely-felt emotion to release publicly; how far to let oneself go. Similarly, it is difficult to sustain the charge, rendered plausible by Mohamed Ali's complicated financial situation, that he lived off the Khilafat Fund. Such an allegation was inspired by Mohamed Ali's detractors, especially amongst government officials, the landlords, and section of the *ulema*.'

During his speech at Calicut on 18 August 1920, Shaukat Ali opined. 'I need not tell you, you all know, that

our state was never in greater danger, our faith was never so in the world as it is today... For 17 years I gave honest service to my country and to the King whom I acknowledged them. I am obliged to say that today unless my religious demands are fully satisfied I cannot give my loyalty which was always conditioned to my King, to my sovereign to whom I owned allegiance before.

‘If you are strong and capable then it is your bounden duty so long as there is one Mussalman breathing to fight the unjust King, the unjust Government that have proved to be enemy to your faith, and to your God, or if you are weak and could not cope physically with your opponents, then it is incumbent for you to go, migrate to another country, and leave that unjust kingdom and that unjust tyrant and King.

‘I assure you that the Mussalman feeling is sore, the Mussalman feeling is so strong that he cannot fully express it, and I know this much also that if it was not for the efforts and advice of Mahatma Gandhi, no power on earth would have controlled the Mussalmans of India...every Mussalman police constable, every Mussalman who is a soldier in the army, civilian working in the country and every Mussalman zamindar, merchant ..it is his bounden duty if he wants to be a true Mussalman that he must obey order of God and refuse to assist and tell the Government that he cannot cooperate...’

As a representative of the Central Khilafat Committee, Maulana Shaukat Ali gave vent to his feelings at Lucknow on 15 October 1920"...’ The sympathy of Sir Harcourt Butler has been exploded. You will know that all, whether Butler or O’Dwyer, are birds of the same feather... It is my religious belief and that of the Muhammadans that to die and to kill in the path of God, to die and kill in the path of righteousness, to die and kill in the path of truth, are acts which will both please God... so long as the question of Khilafat and the liberty of India is not settled, they will act

according to the dictates of their leader Mahatma Gandhi, they will sacrifice their lives, they will go to jail, they will be hanged...If, God forbid, he (Gandhi) is not successful, I would make a challenge that there is not a single worldly power which can stand against 33-crores of persons, who, relying on God, will use their physical power... Both Hindus and Muhammadans, for the sake of their prophet, for the sake of their religion, for the sake of their salvation should be determined sincerely that so long as their demands are not satisfied they, men and women, young and old, poor and rich, should, shoulder to shoulder, leave no stone unturned until they secure complete victory.'

Shaukat Ali delivered speeches at Lucknow on 26-27 February 1921. ...Our voice is the voice of God. We number thirty crores... Sacrifice your own lives, strong soldiers...We have now to be manly. *What can they do? I declare today that the Indian army is the army of Mahatma Gandhi.* The Indian police is police of Mahatma Gandhi... Imagine the treatment accorded to *Khilafatist*. Mahomed Ali went and spent money, but no one listened to him... We will be given *Swaraj*. They will come with folded hands, bend down on their knees and rub their noses on the ground and say, "For God's sake, take *Swaraj*, Khilafat and the Punjab but allow us to stay in India." I say, they must repent and apologise... The thirty crores of Indians have to become brave—Englishmen have already comedown on their knees and have begun to fear India... Call at every house and take one rupee per head not excluding even a poor man. **Realize** five or ten rupees from those who are rich... The Government will oppress us. Let us have one month more, so that we may **realize** money... Therefore, I request you to be generous and help us, as far as you can, in this work. God will bless you.'

It would indeed not be fair to characterize Ali Brothers as communal or pan-Islamist. Their national sentiments over-powered the religious fervour. Their national politics

was meant to achieve India's freedom—a cause which was dear to their mind and heart. The Khilafat-Congress platform was used by them as a token of their love, respect and affection for Islam as well as India. Judging from the religious angle, they were Muslims first and Muslims last, but so far as their politics was concerned, they were Indians first and Indians last.

Mahomed Ali wrote to Lord Chelmsford on 24 April 1919, 'There should be no attempt to remove, whether directly or indirectly, from the independent, indivisible and inalienable sovereignty of the Khalifa, who is the recognised servant of the Holy Places and warden of the Holy shrines, any portion of the territories in which such Holy Places and shrines are situated. Nor should there be any such attempt to dismember and parcel out even among Muslim governments, or in any other manner weaken the Khalifa's Empire with the object of weakening the temporal power of Islam, and thereby make it liable to suffer, without adequate power to prevent, the curtailment of its spiritual influence through the temporal power of other creeds.'

Harcourt Butler informed William Vincent on 27 October 1920 about the activities and influence of Ali Brothers amongst the student -community. '...Mohamed Ali and Shaukat Ali backed up by a continuous stream of maulvis and other Muhammadan agitators from outside, have succeeded in stirring up a large number of students. The latest report is that Mohamed Ali has got the signature of 200 students who promise him full support.'

In a lengthy letter to the Viceroy, the Ali Brothers gave vent to their feelings of dissatisfaction about the attitude of government towards them and the Muslims as a whole. 'Since no method has yet been discovered of assessing the value of personal freedom, it is not possible for us to communicate to another an exact idea of what we lost when we lost our liberty. Nor is it possible for others to gauge the mental anguish we have endured in

four years of exile. However, the loss of one's business and the resulting privations may be borne along with the more grievous loss of personal liberty... But no government was expected in the twentieth century to claim, even by implication, the right to force a man's conscience. And yet it is only on this hypothesis that the action of Government with respect to the internment of Moslem Ulama and public works, and the virtual suppression of the entire Moslem press, culminating in the forfeiture of Dr. Ansari's Address, becomes intelligible.

'Looking at the matter, however, from the view-point of faith, this denial of liberty to "interfere with the relations between Great Britain and Turkey" in other words, between the State and the Church of Islam—is nothing sort of interference in a most vital matter of faith.

'Your Excellency's predecessor gave a most solemn pledge, "in regard to the Holy places of Arabia, including the Holy Shrines of Mesopotamia and the port of Jedah, in order that there may be no misunderstanding on the part of His Majesty's most loyal Moslem subjects as to the attitude of His Majesty's Government in the war." This pledge was to the effect that "these Holy places and Jedah will be immune from attack or molestation by the British Naval and Military forces" and it was supplemented by the announcement that "at the request of His Majesty's Government, the Governments of France and Russia had given similar assurances." Nevertheless it is now admitted that "a close blockade of the coast of the Red Sea was instituted," and it is clear that the Arabs of the holiest of the Holy places of Islam were threatened with certain Starvation in order to compel them to revolt against their temporal sovereign and renounce the allegiance which they owned under the law of Islam to the legitimate successor of the Arabian Prophet.

'A still more deplorable feature of the activities of the Allied and Associated Governments is that the **Jazeerat-ul-**

Arab or the Island of Arabia carefully delimited by Muslim Ulema and lexicographers, over no part of which, according to the testamentary injunction of the Holy Prophet, non-Muslim control is to be tolerated, is proposed to be placed under the control of Christian Powers, with Great Britain as the Controller of Hejaz.

In view of our present weak condition, migration is the only alternative for us, and if we are forced to forswear our faith or leave our motherland, we could only migrate from this great country to which Islam brought is blessings more than twelve hundred years ago. A Mussalman is required by his faith which catholic and universal, to maintain an extraordinary detachment from country and race. Our Mosques and the bones of our ancestors we shall entrust to the loving and reverential care of our non-Muslim fellow-countrymen...

There should never be any attempt to interfere by pressure or persuasion in the free choice by the Mussalmans of the Caliph of their Prophet...There should be no attempt to remove, whether directly or indirectly, from the independent, indivisible and inalienable sovereignty of the Caliph,...any portion of the territories in which Holy places and Shrines are situated...His Majesty's Government should restore to the Caliph the Vilayet of Egypt, so that it may once more be an integral portion of his Empire...No Mussalman should in any manner be deprived of his liberty, or otherwise punished, molested or disquieted by reason of his expressing and promoting sympathy with his brother Mussalmans in any part of the world or maintaining and strengthening the allegiance of all Mussalmans to the Caliph of the Holy Prophet, and the Commander of the Faithful...Greater respect should be paid in the future to the universal sentiment of Indian Mussalmans and determined effort should be made by British Imperial authorities to earn the good-will and cultivate the friendship of Muslim

governments, such as those of Turkey, Persia, Afghanistan and Morocco... .'.

It is interesting to find a list of communications sent out by the Ali Brothers or members of their families forwarding copies of their representation to the Viceroy or disseminating the view in that representation, in the National Archives of India.

While in Betul Jail, Central Provinces, the Ali Brothers sent a letter to the Chief Commissioner, C.P. and Berar on 4 November 1919 asking for fair trial or transfer to Rampur. 'We submit that our detention which has already lasted 4½ years, has been wholly undeserved, and that we should now be restored to full freedom...if our detention in jail is punitive we should be given an open and fair trial by a properly constituted court of law. If, however, it is not punitive, we submit we should be informed on what even our release depends.

'If for any reason we are not to be restored to the fullest freedom just yet, we should be transferred to Rampur for the cotton season, after which we may be brought back here, so that we may earn something in the meantime for the maintenance of our families. If we are released later in the year when the cotton season is over, we shall have nothing on which to maintain them.

'Even if this is not for any reason possible, we should at least be allowed to visit our mother, whose health has broken down, and to remain with her till she gets well. If we are not to be released just yet, nor to be transferred to Rampur, our families should be permitted to reside at Betul and visit us at convenient intervals.

The Home Secretary, Government of India, replied on 22 January 1919. 'I am directed to say that a Committee was appointed to examine the case against Mahomed Ali and Shaukat Ali who are interned under the provisions of the Defence of India Act, in pursuance of an undertaking given

on behalf of the Government of India by the Hon'able Sir William Vincent debate in the Imperial Legislative Council on the 19th, March 1918 on the subject of internments.

'Mr. B. Lindsay, Judicial Commissioner of Oudh, and Mr. Abdul Rauf, who recently officiated as Judge of the High Court, Allahabad, were selected to form the Committee... that they found that Government were amply justified in imposing restrictions upon the liberty of the brothers but recommend that they should now be released.

To Government source stated, 'It has been decided that the brothers should not be released till the Turkish peace term have been announced and the attitude of Indian Muslims clearly seen. The United Provinces Government pointed out that short visits of the brothers to Rampur were undesirable for political reasons, especially at that point of time. In fact this request had been put forward several times during their internment at Chhindwara under the Defence of India Act, but it had been consistently refused. In December 1917, they pressed for a transfer to Rampur unless Government accepted liability for the financial loss they sustained. The matter was then considered the government could not accept any liability for any loss they sustained as their detention was legal.

The District Magistrate, Betul, reported about Ali Brothers thus, 'The conduct of both brothers is good. They give no intentional trouble to the jail or district authorities. They are content with their maintenance allowance and spend their time in composing poetry, learning the Quoran by heart, praying, reading, writing voluminous letters, eating and exercise with dumb-bells... They are most desirous of being released and await the result of their memorial to His Excellency the Viceroy with impatience. Their only private trouble which seems to weigh on them is the question of the allowance to their families.'

On consideration of their case at various levels after the receipt of a telegram from Abadi Begum to the Viceroy

on 27 November 1919, the government of India decided that benefit of amnesty should be extended to Mohamed Ali and Shaukat Ali and they should be released. They were released on 28 December 1919 and were paid expenses for journey to Rampur.

The Government of India afforded its assistance to the Khilafat deputation proceeding to Europe. The Home Secretary, Government of India informed the Secretary to the Government of Bombay Political Department on 22 January 1920.

‘Every assistance has been promised by the Viceroy to the Khilafat deputation to proceed to Europe. Five first class passages are required by Shaukat Ali by the first boat leaving in February. Please see Machinnon Machenzie and other steamship agents and make every endeavour to secure passages required—Early despatch of deputation is regarded by the Government of India as matter of greatest political importance...’ The Secretary, Political Department informed the next day, ‘Five first class berths have been reserved on the *S.S. Morvada* sailing from Bombay on 7th proximo.’

The Indian Khilafat Delegation headed by Mohamed Ali met the Prime Minister, David Lloyd George, at 10 Downing Street, London. The other members present were Syud Hossain, Maulana Syed Sulaiman Naqvi and H.M. Hayat. The government members were H.A.L. Fisher and Frederick William Duke. On being questioned by the Prime Minister, the leader of the delegation explained the case thus: ‘Islam has always had two centres, the first a personal one and the other a local one. The personal centre is the Caliph, or the Khalifa, as we call him, the successor of the Prophet. Because the Prophet was the personal centre of Islam, his successors, or Khalifas, continue his traditions to this day. The local centre is the region known as the Jazirat-ul-Arab, or the “Island of Arabic” the “Land of the Prophets”...The Khalifa is the Commander of the Faithful in all matters for which Islam provides Divine guidance,

and his orders are to be obeyed by all Mussalmans as long as they do not conflict with the Commandments of God and the Traditions of the Prophet.

‘For the defence of the faith, the Commander of the faithful must always retain adequate territories, naval and military forces, and financial resources, all of which can be summed up in the expression “temporal power”.

‘To come to our claims, Sir, the first claim that we put forward is that the Khilafat must be preserved by the entire body of Muslims at all times with adequate temporal power...Not going into the matter more fully, we would say that after the various wars in which Turkey has been engaged recently, and after the Balkan War particularly, the Empire of the Khalifa was reduced to such low limits that Muslims considered the irreducible minimum of temporal power adequate for the defence of the faith to be there storation the territorial *status quo ante bellum*.

‘There have been differences between the Arabs and the Turks, but I hope the Emire Feisal, when he looks upon the matter from the point of view of a Muslim, as he is bound to do, will realise that his own personal ambitions, and even the ambitions of the Arabs, can be entirely satisfied within the scheme of Turkish sovereignty.

‘Quite apart from the main claim for the preservation of the Khilafat with adequate temporal power, the Muslims claim that the local centre of their faith—namely, the “Island of Arabia”— should remain inviolate and entirely in Muslim control. This is based on the dying injunction of the Prophet himself. The Jazirat-ul-Arab as its name indicates, is the “Island of Arabia” the fourth boundary being the waters of the Tigris and the Eupheates. It, therefore, includes Syria, Palestine and Mesopotamia, as well as the region commonly known to European geographers as the Arabian peninsula. Muslims can acquiesce in no form of non-Muslim control, whether in the shape of mandates or otherwise, over any

portion of this region. A religious requirement which is absolutely binding on us requires that there at least there shall be exclusively Muslim control.

‘I do not, Sir, overlook the fact of the massacres. No Muslim would dream of giving his support to those truly guilty of massacres and other equally revolting crimes. The Indian Khilafat Delegation must put on record their utter detestation of such conduct and their full sympathy for the sufferers, whether they be Christian or Muslim. But, if the Turk is to be punished as a criminal, and copulations of other races and creed are to be released from their allegiance to the Ottoman Sovereign on the assumption that the Turks have been tyrants in the past and their rule is intolerable, then the Delegation claim that the whole question of these massacres must be impartially investigated by an International Commission on which the All-India Khilafat Conference should be adequately represented.

‘I have no brief for the Turks; I have only a brief for Islam and the Indian Muslims. What we say is this, as I said to Mr. Fisher let there be a thorough enquiry, and if this thorough enquiry is carried out, and if it establishes to the satisfaction of the world that the Turks really have been guilty of unprovoked murders, and have been guilty of these atrocities and horrible crimes, then we will wash our hands of the Turks. To us it is much more important that not a single stain should remain on the fair name of Islam. We want to convert the whole world to our way of thinking, but with what face could we go before the whole world and say we are the brethren of murderers and massacres?

‘It is in that connection that we earnestly appeal to you, to the whole of Christendom, to the whole of Europe and America, that if the Turk is to be punished on the assumption that he is a tyrant, that his rule is a blasting tyranny, and that he ought to be punished, in that case the evidence should be of such character that it should be absolutely above suspicion.

‘Our interest is in the Khilafat as Mussalmans. No population and no territory could be so dear to the Muslim as the Arab and Arabia. The Turks could not win such affection from us as the Arabs do. This is the land that we want to keep purely under Muslim control. Even if the Arabs themselves want a mandate in that country we will not consent. We are bound by our religious obligations to that extent. Therefore, it cannot be through antipathy against the Arabs ore because of any particular sympathy for the Turks that we desire the Khalifa’s sovereignty over the Island of Arabia. The Turks are much further removed from us. Very few of us know anything of the Turkish language; very few of us have traveled in the Turkish Empire. But we do go in large numbers to Mecca and Medina. So many of us want to die there. So many Mussalmans settle down and marry in Arabia; one of my own aunts is an Arab lady.’

Mr. Syud Hossain: ‘There is just one point I should like to clear up. When talking about Arabia you said to Mr. Mohamed Ali, “That you are opposed to independence for Arabia?” and he said, “Yes”. I think that needs to be qualified a little. We are not opposed to the independence of Arabia. We are opposed to Emir Feisal’s declaration of independence only for this reason that Arabia, throughout the history of Islam, has up till now remained under the direct control of the Khalifa. This is the first time in the history of Islam that anyone who is not the Khalifa has set up any claim over Arabia. That is why there is from the Muslim point of view, a conflict of religious obligations with actual facts. We are not opposed to Arabian independence.’

The Prime Minister: ‘Gentlemen, you have put your case with very great lucidity and with moderation, and as the head of a Government which, as the last speaker has very well said, has to deal with an Empire which is the largest Mohamedan Empire in the world, I feel bound to listen with great care to everything that comes from our Mussalman fellow-subjects in any part of the Empire.

When we were in Paris we took great care to consider the Mussalman representatives who came from India. They were represented in the first instance with very great force by two able Indians who were not Mohamedans, but who still were very much imbued with a sense of what was fair to their Mohamedan fellow-countrymen. The Maharajah of Bikaner and Lord Sinha repeatedly brought the case before the Delegation—a Delegation of the British Empire, not merely a Delegation of Great Britain, but of the Dominions as well. They formed a part of that Delegation themselves. Then Delegation were arranged from Mohamedans, some resident in Great Britain, and some who came from India, and at my request the Supreme Council of the Allies heard their case. M. Clemenceau, Mr. President Wilson, Senor Orlando, and myself, representing the Great Powers of the Alliance, listened with great care to a very powerful presentation of the Mussalman case in respect of Turkey. So that I should like the Mohamedans of India to feel that their case has been presented with great care and with great force, and has been listened to with conscientious care not merely by the delegates of the British Empire, but, at the request of the delegates of the British Empire, by the Supreme Council of the Allies. Whatever decision we came to, we arrived at after listening to and weighing very carefully all the arguments, all the facts, all the considerations and all the appeals which came from Mohamedans in every part of the world.

“The second thing I want to say is this. I should like to get out of the mind of any Mussalman throughout the Empire that we are treating Turkey upon different principles to those we applied when we came to consider Christian countries. We were at war with three Christian countries and one Mohamedan country. We did not seek war with any of them. The governors of Turkey took upon themselves to wage war upon us. Nothing was further from our minds at the beginning of the conflict with Germany than that we should have to make war with Turkey. I do not believe we

have ever made war against Turkey. We have been fighting for Turkey many times. One of the greatest wars we ever waged was to save Turkey from the rapacity of Russia—I mean the Crimean War. In 1873 we very nearly went to war with Russia again on behalf of Turkey. We have never in my recollection waged war upon Turkey. There have been one or two small incidents which were inevitable, but we have never waged war upon Turkey. We have waged war for Turkey. We very nearly got engaged in another gigantic war for Turkey, but we have never fought Turkey. And Turkey, at a moment when we were engaged in the most terrible struggle this country has ever been in, or which any other country has ever been in, suddenly declared war upon us. It was vital to us in the great struggle that we should have free access to the Black Sea. The fact that we had not got free access prolonged the war by at least two years. Turkey suddenly slammed the gates in the face of an old ally who had always stood by her and who had no quarrel with her of any sort or kind at that time. The governors of Turkey, Talaat Pasha and Enver Pasha, slammed the gates in our face and undoubtedly imperilled the whole cause of the Allies. I do not believe France has ever made war upon Turkey. I have no recollection of it. France has been quite friendly to Turkey. France was engaged on our side in the Crimean War, supporting Turkey, and the same thing happened to France. So I do not want any Mohamedan in India to imagine that we entered into this war against Turkey as a crusade against Islam. Nothing was further from our minds than to have a quarrel with Islam in any part of the world at that moment. Repeatedly during the war by every means in our power we did our best to bring it to an end by friendly means. Our quarrel was not with Turkey. Our death struggle was with Germany and the German Military Power, and we deeply regretted that the Young Turkish Party should have misled their country and brought Turkey into war with us. I do not believe Turkey really wanted to quarrel with Great Britain. I am talking

now of the majority of the population of Turkey. As I say, we deeply regretted that their rulers should have misled their country into fighting with their old allies and friends, Great Britain. That is the position. But they insisted upon fighting with us. They insisted on slamming the door against us and thus prevented our getting through to help Romania and Russia. By that means the war undoubtedly was prolonged for two years.

Now Turkey has been beaten. So has Germany. So has Austria. Austria has fallen to pieces. She was an Empire. What is she now? She has fallen to bits, and her fragments are scattered about. But she is not a Mussalman country. She is a Christian country. Therefore it is no use talking about crusades. We have no crusade against Austria, She has paid the penalty of defeat. She has gone to pieces. What has happened in Germany? We have taken Alsace-Lorraine away from Germany. The whole of Poland has been taken away from her, and we have imposed upon her very stern and severe terms. But she is Christian country. She is not Mussalman. Why should we do it? Because we are applying the principle of self-determination to these countries which oppressed subject peoples and provoked war to destroy liberty throughout the world. In Austria the Czecho-Slovaks say: "We no longer want to remain under Austria. We say, "Very well; Austria has forfeited its title to Empire. We will make you independent." The Jugo-Slavs say the same thing. We say, "Very well, make a Government of your own with Serbia." Transylvania says the same thing, and we say, "Very well, you may unite with your fellow-Romanians in Romania." We apply the principles of self determination to the subjects of the autocratic Empires. I do not want any Mussal man in India therefore to imagine that we are applying one principle to Christians and another principle to Mohamedans. But neither do I want any Mussalman in India to imagine that we are going to abandon, when we come to Turkey, the principles which we have ruthlessly applied to Christian countries like Germany and Austria.

‘I do not understand Mr. Mohamed Ali to claim indulgence for Turkey. He claims justice, and justice she will get. Austria has had justice. Germany has had justice—pretty terrible justice. Why should Turkey escape? Turkey thought she had a feud with us. What feud had Turkey with us? Why did she come in to try and stab us and destroy liberty throughout the world when we were engaged in this life and death struggle? Is there any reason ‘why we should apply a different measure to Turkey to that which we have meted out to the Christian communities of Germany and Austria?’ I want the Mohamedans in India to get it well into their minds that we are not treating Turkey severely because she is Mohamedan; we are applying, exactly the same principle to her as we have applied to Austria, which is a great Christian community.

‘What are those principles? They are the principles of self-determination applied to Empires which have forfeited their title to rule. The Arabs have claimed independence. They have proclaimed Feisal King of Syria. They have claimed that they should be severed from Turkish dominion. Is it suggested that the Arabs should remain under Turkish dominion merely because they are Mohamedans? Is not the same measure of independence and freedom to be given to Mohamedans as is given to Christians? Croatia has demanded freedom, and we have given it to her. It is a Christian community, Syria has demanded it and it is given to her. We are applying exactly the same principles in Christian places, and to impose the dominion of the Sultan upon Arabia, which has no desire for it, is to impose upon Arabs something which we certainly would not dream of imposing upon these Christian communities.

‘Now I come to the other points. One is Thrace. It is very difficult to get the facts about Thrace, but I have got before me here the Turkish census and the Greek census about Thrace. There is very little difference between them. According to both of these, the Mussalman population in

Thrace is in a considerable minority. If that is true and the principle of self-determination is to be applied, the whole of Thrace would certainly be taken away from Turkish rule. Take Smyrna. The same thing applies there. We had a most careful investigation by a very impartial Committee into the whole of the question of the Province of Smyrna. We found that a considerable majority of the population was non-Turk. There were Mussalmans there who were Greeks. But the great majority of the population undoubtedly prefer Greek rule to Turkish rule, so I understand.

‘What is the other case which is put? It is the question of the temporal power of the Khalif. The question of the temporal power of a spiritual head is not confined to Islam, as Mr. Mohamed Ali knows very well. It is one of the great controversies of Christendom too. We have had here one of the most fierce Controversies, which raged for over a generation, as to the temporal power of the head of the Roman Catholic Church. There are Roman Catholics who believe in it, and there are Roman Catholics who do not believe in it. I am not going to express any opinion. But after the Pope was deprived of his temporal power his spiritual power was as great as and very likely greater than ever. I am not going to interfere in a religious discussion where men of the same faith take a different view. I know of Mohamedans, sincere, earnest, zealous Mussalmans, who take a very different view of the temporal power to the one which is taken by Mr. Mohamed Ali today, just as I know of Catholics who take one view and other Catholics who take a very different view of the temporal power of the Pope. That is a controversy into which I do not propose to enter. All I know is this. The Turk will exercise temporal power in Turkish lands. We do not propose to deprive him of Turkish lands. Neither do we propose that he should retain power over lands which are not Turkish. Why? Because that is the principle we are applying to the Christian communities of Europe. The same principles must be applied to the Turk.

'As to the Armenian massacres, there is no doubt about them —none. Mr. Mohamed Ali says there has not been an impartial investigation. That is true; because the worst massacres of all occurred during the war, and there was no one there to investigate. I quote, however, the reply given by the Turkish emissaries in Paris, the representatives of the Turkish Government on the subject. Their sole answer was that Committee of Union and Progress, who were in power at that time and ordered the massacre of the Armenians, had also committed crimes against Moslems, and condemned to death by every means 3,000,000 of Moslems. That is no answer. It is not a question of punishment; it is a question of good government; and whether it is 800,000 Christians or 3,000,000 Moslems, a Government which cannot protect its own subjects, whether they are Christian or Moslem, against wholesale massacres of that kind is not fit to govern. Therefore we are bound, in the interests of civilisation, to exercise some sort of control and supervision. It is quite clear that the Turkish Government is incapable, as at present constituted, of protecting its own subjects. Let us take the facts. The Turk is not such a very old Government in Asia Minor. We talk as if the Turk had always been the owner of Asia Minor. He has not. All we know is that it is a very badly governed country. It was once a very rich country. It was a country which was not only rich, but it enriched other lands. It is rich no longer. It is devastated; it is desolate. You must take that into account. Here it a bad farmer in a farm which is essential to the world. At one time it was the granary of the Mediterranean. It is so no longer. You really cannot allow them to desolate and to devastate this country without some say on the part of the civilised countries of the world in the matter. The Turk has no right to say "This is my country, and if I like to desolate it that is my business." No country has a right to do that. It is not a question of race; it is not a question of Christian; it is not a question of Moslem. If there had been Christians there who had devastated a great country like this, which

is essential to the world, we should have said exactly the same thing. Here is Europe suffering from scarcity. We are so independent, not merely European countries, upon each other, but Europe upon Asia and Asia upon Europe, that we have all got an interest in seeing that large tracts of territory are not laid waste by misgovernment. That is our common interest in control in Asia Minor. If the Turk were a capable and efficient administrator, who looked after his land well, there is not a Christian community in Europe that would not say: "God bless you and prosper you," and we would not dream of interfering. We should be glad to see him work out his own faith in his own land. But I do not think he has governed in a way which makes Islam proud of him. I will ask you to look at the way in which he has done it. Is Islam really proud of Turkish dominion?

'All I want to say in conclusion is this. I want to give this feeling to the Mussalmans of India who stood loyally by the Throne and by the Empire with very few exceptions—and there were exceptions even amongst Christians. Therefore I draw no distinction to the detriment of the Mussalmans of India because there were some amongst them who were disloyal. There were Christians who were also disloyal, and therefore I do not say this in the slightest degree as a criticism of Mohamedanism. The Mussalmans of India stood by the Throne and the Empire. We gratefully acknowledge it. They helped us in the struggle. We willingly and gladly recognise that. We recognise that they have a right to be heard in a matter which affects especially Islam. We have heard them. Not merely have we heard them, but we have very largely deferred to their wishes in the matter. The settlement was very largely affected by the opinion of India and especially the Mussalmans of India. But we cannot apply different principles in the settlement of a Mohamedan country to those which we sternly applied in our settlement with the Christian communities with whom we were also at war.'

In the association of other religious leaders, Maulana Azad issued a *fatwa* in 1920, 'All Moslems who would like to fulfil Islamic obligations must quit India. Those who cannot migrate immediately should help the migrants as if they were themselves migrating from the country. The *Sharia* gives us no alternative course, except migration. Emigration from India before the war was desirable, but now it is mandatory. Only those Moslems can remain in India who are needed to carry on the struggle or have acceptable reasons against migration.'

In fact the Afghan delegation visited Mussoorie and it encouraged the workers of the Khilafat movement for *hijrat*. When the delegation happened to visit *Jama Masjid* for prayers, the sermon preached by the *Imam* of the *Masjid* so stirred Muhammad Tarzi, the head of the delegation, that he excitedly accused the people of talking only and not doing anything of real worth, and assured the Indians that Afghanistan was ready to do anything for the sake of the Khilafat. He warned the people not to heed those who were against *hijrat* and advised all to migrate to Afghanistan.

Thus one of the significant features of the Khilafat movement was the migration of the Muslims from India to Afghanistan. As they were going to a neighbouring country in search of peace, they came to be known as *Mahajirs*. They gave a strong plea for this consideration by putting forward the historic case of Prophet's migration to Madina. In fact, after losing hope of justice of any kind, the only solution, the Muslims of India thought was migration from *Dar-ul-Harb* (Land of War) to *Dar-ul-Islam*, to a neighbouring 'Muslim country. Afghanistan was the only border country where people migrated in large numbers. This kind of migration which had little flow of refugees was a welcome phenomenon by the Afghan government in the initial stages, but when this migration picked up momentum, it was not relished by the local government, and it consequently closed its door of

welcome to numerous *Mahajirs*. A large number of *Mahajirs* thus came back again to India.

This kind of attitude was shown by the Afghan government mainly on account of the fact that the avenues for employment for the mass of migrants from India were not easily available by that government. Moreover during this migration, there ensued skirmishes between the British army and the *Mahajirs* resulting into some deaths of the latter. Economically also they suffered losses in some ways: they had sold but their belongings before leaving their homeland and they also incurred financial losses during the long journey both ways. 'The road from Peshawar to Kabul was strewn with the graves of old men, women and children who could not withstand the hardships of the journey. The unhappy emigrants, when they returned, found themselves homeless and penniless with their property in the hands of those to whom they had sold it for a song in the first flush of their religious enthusiasm.'

In pursuance of the decision regarding non-co-operation taken at the meeting of the Central Khilafat Committee held at Allahabad on 3 June 1920, this letter was signed by ninety Sunni Muslims from all over India which they sent to the Viceroy on 22 June 1920.

YOUR EXCELLENCY,

'We the undersigned claim to represent the largest body of Sunni Muslim opinion. We have most carefully read the Turkish peace terms and we consider them to be in direct violation of the religious sentiments of Mussalmans. They violate obligations imposed upon the Sunnis and wound the susceptibilities of all Mussalmans. They are contrary to pledges of British Ministers on the strength of which it has been admitted it was possible to draw upon India for Muslim recruits during the War. We hold that the British Empire, which is the greatest Mohammedan Power in the world, cannot treat the Turkish Empire which represents

the Khilafat in the same manner that it may treat a defeated enemy. Indeed we contend that in certain respects Turkey has been treated worse than other Powers. We respectfully submit that in the treatment of Turkey the British Government are bound to respect Indian Muslim sentiment in so far as it is neither unjust nor unreasonable. In our opinion the position taken up by the Indian Mussalmans is simple. They cannot bear the thought of the temporal power of the Sultan being adversely affected by way of punishment for his having joined Germany under circumstances which need not be examined here, but we have no desire to ask for anything that would interfere with the principle of self-determination. We have no desire to uphold any misrule such as has been attributed to Turkey. Our delegates in Europe have asked for an independent commission of enquiry to investigate the charge of wanton cruelty said to have been practised by Turkish soldiers in Armenia. We cannot look with indifference upon the partition of Turkey and her empire for the sake of punishment for humiliating her. We would, therefore, request Your Excellency and Your Government to ask His Majesty's Ministers to secure a revision of the peace terms and to tell them that on their failure to do so Your Excellency will make common cause with the people of India. We make this suggestion as Your Excellency has repeatedly, declared that Your Government has consistently and often pressed upon the attention of His Majesty's Ministers the case of Indian Mussalmans in this matter of vital concern to the vast majority of them. We feel, therefore, that we have a right to ask Your Excellency to reassure the Mussalmans of India that they still retain your active co-operation and powerful advocacy in the prosecution of their claims, ever to the point of resignation of your high office should His Majesty's Ministers fail to secure a revision of the terms consistently with the pledges and sentiment mentioned above. We venture respectfully to suggest that had India been a Dominion enjoying full self-government her responsible Ministers would have as a matter of course

resigned as a protest against such a serious breach of pledges and flouting of religious opinion as are involved in the peace terms. If unfortunately Your Excellency will not adopt our humble suggestion we shall be obliged as from the 1st of August next to withdraw co-operation from the Government and ask our co-religionists and Hindu brethren to do likewise. We ask Your Excellency not to regard our statement as a threat or in any way as a mark of disrespect. We claim to be as loyal subjects of the Crown as any in India, but we consider our loyalty to an earthly sovereign to be subservient to our loyalty to Islam. The latter enjoins upon every Mussalman to consider those who want only to injure the status of the Khilafat to be enemies of Islam and to resist them. We recognize that even if we had the power we must not resort to arms so long as any other measures are at our disposal. We feel that the least a Mussalman can do in these circumstances is not to assist those who are guilty of trying to reduce the Khilafat practically to nothingness. It would, therefore, become our painful duty to refuse to co-operate with the Government which accepts the peace terms and advises acceptance thereof by us. We shall hope that such a serious step as non-co-operation will not become necessary, but should it unfortunately happen to be otherwise we assure Your Excellency that we shall strive our utmost to avoid violence. We fully recognize our responsibility. We know that any eruption of violence must check and injure the peaceful demonstration contemplated by us, and, what is more, the sacred cause which is dear to us as life. We shall, therefore, take up non-co-operation in progressive stages so as to cause the least necessary dislocation or embarrassment to the Government and so as to enable us to control and discipline popular feeling.'

This speech was delivered in Calcutta on 24 February 1921 to a deputation representing elected Muslim members in the Bengal Legislative Council and Assembly who had urged modification of the Turkish Peace Terms.

'I am very glad to have had this opportunity of meeting you here this afternoon and at having had laid before me one more representation on behalf of the Muslim Community with regard to the present situation. I need hardly remind you, though perhaps it is worth while doing so, that I and my Government have repeatedly brought your contentions to the notice of His Majesty's Government and of the Peace Conferences which have been sitting in Europe on this question. May I remind you that early in the stages of the Peace Conference, the Secretary of State, Lord Sinha. and the Maharaja of Bikaner who were then representing India at the Peace Conference, stoutly fought your case before the Peace Conference. But inasmuch as none of these gentlemen could be said to represent strictly your community, I asked certain other gentlemen to go actually before the Peace Conference itself and plead the Mohammedan cause, and they were His Highness the Aga Khan, Mr Aftab Ahmad and Mr. Yusuf Ali, and these gentlemen were heard. Now not only have we done this, but every memorial which any sections of your community have forwarded to me has been forwarded to the Secretary of State and has been supported in the most strenuous terms, not only by official documents from my Government, but by personal telegrams from myself. So that I can assure you, from first to last and long before the non-co-operation movement began, that we, as a Government, and I as the head of the Government, strongly supported your contentions, not only before His Majesty's Government but also before the Peace Conference. And lately in order that we should leave no stone unturned for your case to be represented, not only adequately, but to your own satisfaction we have again asked certain gentlemen unofficially to go to Europe and present your case there—His Highness the Aga Khan, Mr Hasan Imam, and Mr. Chhotani, and Mr. Chhotani is accompanied by Dr. Ansari, who will be acting as his secretary.

I should think that a recapitulation of what we have done and what we have attempted to do, such as I have

laid before you this afternoon, ought to convince you and, I hope, does convince you, that we have left nothing undone which we could do in order to support your case. I am not acquainted with what is going on in London at the present moment; I have no knowledge, either official or private, of the Conferences which are taking place; but I can assure you that, from first to last, we have espoused your cause and we have fought it in a way which, if I was at liberty to place before you the communications which we have sent home, I think would satisfy every individual.

‘In conclusion I must again express my great sympathy with you and my determination to the last moment to press every point which we can in favour of your representations.’

The speeches of Ali Brothers delivered at numerous places during their tour for political propaganda made the *Raj* nervous to the fact that their contacts with the masses through inciting and inflammatory speeches might result into violence or engender anti-British feeling leading to a paralytic effect on the smooth functioning of the administrative machinery. The Viceroy, therefore got into touch with Gandhi, apprised him of some of the passages from speeches delivered by Ali Brothers which could lead to criminal proceedings against them.

Mahatma Gandhi interpreted the arrest of Ali Brothers as their victory for the cause of the nation. He also eulogised their services as well as the principles which engendered amongst the people feelings of unity and non-violence. In an article entitled ‘Victory for Ali Brothers’ in *Navajivan*, he stated thus, ‘I interpret the arrest of the Ali Brothers as their victory; and their victory is ours for I see in it the dawn of *swaraj*...

‘I feel the same way about the arrest of the Ali Brothers. Many others have been arrested, and many more will be arrested; but these arrests, although they are of

consequence, cannot have the same significance as the arrest of the Ali Brothers.

"The Ali Brothers did their best in the cause of *swaraj*. I am perfectly sure that their sacrifice is holy. They were completely faithful to their pledge to remain non-violent. This does not mean that their speeches were altogether free from harshness or bitterness, but they prevented violence. Preventing violence does not mean keeping the people quiet by suppressing facts; it really means remaining peaceful even after one has come to see that it is impossible to tolerate this Government.

"The Brothers gave vent to their indignation, described the Government's block deeds for what they were, and yet, by example and by argument, taught people to remain peaceful.

"Their non-violence is a matter of expediency. Unlike me, they do not accept it as an absolute principle at all times and in all situations; but, at this hour and in this situation, they accept, and have persuaded others to accept, non-violence to be the highest duty. If they had chosen, they could have killed some people or got them killed, though they might pay with their lives afterwards. They have shed all fear of death but, being practical and sincerely religious men, they realized that it is a crime to kill anyone in anger and this Islam forbids. ~~They were convinced~~ and could fully satisfy others that the present situation is not among those in which violence is sanctioned by Islam.

"This is why I assert that they have fully kept their pledge to remain non-violent and are yet brave and dauntless. Their services (in the cause of) their religion and to society are beyond doubt. When fearlessness, daring and a spirit of dedication are found together the sacrifice is supreme. Sacrifice always brings the fulfilment of one's cherished desire. I believe, therefore, that the moment of our victory has arrived, when we shall have *swaraj* and justice for the Khilafat and the Punjab wrongs.

"There are, however, certain conditions for this victory. The *yajna* performed by one person benefits another only if the latter accepts the *yajna* as his own obligation. Victory will not be ours unless we accept the Ali Brothers' *yajna* as our own. To do this means to act as they have done, to euulate their courage, their dauntlessness and their spirit of dedication. The Brothers are in jail; who will now lead the Khilafat movement. If the Muslims take up this feeble attitude, it will mean that they have not understood the Brothers. No Hindu or Muslim should entertain the timid fear as to who will draw the chariot of *swaraj* after the Ali Brothers. We have very little need for leaders or guides now. It would not be an exaggeration to say that there is no need at all. We know the path and have some experience of it. There are three essential conditions both for Hindus and Muslims remaining peaceful, Hindu-Muslim unity and *swadeshi*. These duties are equally obligatory on people of all religions. In addition, Hindus have to cleanse themselves of the stain of untouchability.

The Moplahs indulged in violence and invited destruction on themselves to no purpose. They have demonstrated that Hindu-Muslim unity cannot be maintained if peace is not preserved. We should not, therefore, yield to anger or lose our balance, whatever the provocation on the part of the Government.

Hindu-Muslim unity is as much of a duty as preserving peace. Some Moplahs losing their heads does not prove that all Muslims are bad. Three years ago, Hindus had done the same thing at Shahabad. That did not prove all Hindus bad. Unity between two parties means that, even when there is a difference between them, they do not act as enemies but settle the dispute peacefully. We can say that, by and large, unity prevails in a family. That does not, however, mean that the members never quarrel. I do not doubt that we shall occasionally fall out while struggling to preserve unity. Even on such occasions, our leaders will restrain us.

Hindu-Muslim unity would indeed have been endangered if Muslim leaders or the leaders of Moplahs had praised the later's madness instead of condemning it. I do not, however, think that there is any Muslim who approves of the Moplahs' lunacy. I have not come across such a Muslim. However, that may be, even a child can see that, if Hindus and Muslims fight among themselves, we are bound to need the services of a third party. Thus, Hindu-Muslim unity is the second imperative condition for *swaraj*.

'An equally important condition for *swaraj* is *swadeshi*, which means the spinning-wheel. The latter symbolizes Hindu-Muslim unity or peaceful intentions, our discipline, our industry and capacity for organization, our business acumen, our benevolence, our fellow-feeling for the poor and our desire to protect women. If the Hindus alone work the spinning-wheel, they will benefit, no doubt, but we shall not have *swaraj*. If we are angry and our blood is boiling, we cannot think of working at the spinning wheel. The latter is an image of peace and gives us a sense of security about our livelihood. So long, therefore, as we do not have the spinning-wheel plying in every home, our desire for peace and our unity will not be demonstrated.

'The loom, the carding machine and other implements are included in the spinning-wheel. If people start using them, India will regain her light. In their absence, boycott of foreign cloth cannot be undertaken or, if undertaken, cannot be kept up. We seek mill-owners' help, we need the goodwill of importers of foreign cloth, but ultimately we have to rely upon ourselves. If we are sincere, the whole world is sincere. Nobody can ever cheat a sincere person. Hence, every one of us should boycott foreign cloth and engage himself in one or other process of cloth-making.

These, then, are the essential conditions for securing the release of the Ali Brothers. There are three of them but ultimately they are reducible to one, namely, *swadeshi*, since the first two are implied in it. Strict implementation

of *swadeshi* will lead to *swaraj* and the first task of the sovereign parliament under *swaraj* will be to demand the release of the Ali Brothers and all others arrested for non-co-operation.

‘These are the conditions which apply equally to Hindus and Muslims. If the Hindus do not understand the real spirit of their Hinduism, India will never get *swaraj*. It seems possible to me that the Khilafat issue may be settled without untouchability having disappeared, but unless it disappears we shall never get *swaraj*. If 22 crore Hindus suppress a fifth of themselves, it will not be *swaraj*, it will be *Ravanarajya*, it will not be *dhartna* but the opposite of it. I am writing this article from Kumbakonam in Madras Presidency. The town is well-known for its temples and it has learned Dravidians among its residents. The Brahmins of the place, however, feel themselves polluted if the shadow of a *Bhangi* falls on them! The *Bhangi* may even get a good beating, will certainly be visited with a torrent of abuse. The Dyerism of untouchability is nowhere else so rampant as in Madras. How dare an untouchable ever think of entering streets inhabited by Brahmins! The untouchables are deliberately kept ignorant. If an animal becomes sick, someone may attend to it, but an untouchable has God alone to protect him. The groans of innocent untouchables are sufficient to keep *swaraj* away from us. In Madras Presidency, this problem is assuming an alarming character day by day. There is deep hostility between untouchable labourers and the rest and on occasion they even fight with one another. Love for untouchables, brotherly behaviour towards them and refusal to treat their touch as polluting will not only bring *swaraj* but also regenerate Hinduism. Hindus, who look upon cow protection as a sacred duty, must not forsake the untouchables. We shall be fit to chant the *mantra* of *swaraj* only if we treat *Antyajas* as our own brothers even though they may be unclean or eat carrion or drink, even if in fact, they have in them all the defects to be found in the world.’

The statement of the Governor of Bombay to the fact that the Ali Brothers had tampered with the loyalty of the sepoy and thus uttered sedition met with critical remarks in an article entitled "Tampering with Loyalty" by Mahatma Gandhi in *Young India*. He stated, 'His Excellency the Governor of Bombay had warned the public some time ago, that he "meant business", that he was no longer going to tolerate the speeches that were being made. In his note on the Ali Brothers and others he has made clear his meaning. The Ali Brothers are to be charged with having tampered with the loyalty of the sepoy and with having uttered sedition. I must confess, that I was not prepared for the revelation of such hopeless ignorance on the part of the Governor of Bombay. It is evident that he has not followed the course of Indian history during the past twelve months. He evidently does not know, that the National Congress began to temper with the loyalty of the sepoy in September last year, that the Central Khilafat Committee began it earlier and that I began it earlier still, for I must be permitted to take the credit or the odium of suggesting, that India had a right openly to tell the sepoy and everyone who served the Government in any capacity whatsoever, that he participated in the wrongs done by the Government. The Conference at Karachi merely repeated the Congress declaration in terms of Islam. Only a Mussalman divine can speak Islam, but speaking for Hinduism and speaking for nationalism, I have no hesitation in saying, that it is sinful for anyone, either as soldier or civilian, to serve this Government which has proved treacherous to the Mussalmans of India and which has been guilty of the inhumanities of the Punjab. I have said this from many a platform in the presence of sepoys. And if I have not asked individual sepoys to come out, it has not been due to want of will but of ability to support them. I have not hesitated to tell the sepoy, that if he could leave the service and support himself without the Congress, the Khilafat aid, he should leave at once. And I promise, that as soon as the

spinning-wheel finds an abiding place in every home and Indians begin to feel that weaving gives anybody any day an honourable livelihood, I shall not hesitate, at the peril of being to ask the Indian sepoy individually to leave his service and become a weaver. For, has not the sepoy been used to hold India under subjection, has he not been used to murder innocent people at Jallianwala Bagh, has he not been used to drive away innocent men, women and children during that dreadful night at Chandpur, has he not been used to subjugate the proud Arab of Mesopotamia, has he not been utilized to crush the Egyptian? How can any Indian having a spark of humanity in him and any Mussalman having any pride in his religion feel otherwise than as the Ali Brothers have done? The sepoy has been used more often as a hired assassin than as a soldier defending the liberty or the honour of the weak and the helpless. The Governor has pandered to basest in us by telling us what would have happened in Malabar but for the British soldier or sepoy. I venture to inform His Excellency, that Malabar Hindus would have fared better without the British bayonet, that Hindus and Mussalmans would have jointly appeased the Moplahs, that possibly there being no Khilafat question there would have been no Moplah riot at all, that at the worst supposing that Mussalmans had made common cause with the Moplahs, Hinduism would have relied upon its creed of non-violence and turned every Mussalman into a friend, or Hindu valour would have been tested and tried. The Governor of Bombay has done a disservice to himself and his cause (whatever it might be), by fomenting Hindu-Muslim disunion, and has insulted the Hindus, by letting them infer from his note, that Hindus are helpless creatures unable to die for or defend their hearth, home or religion. If however the Governor is right in his assumptions, the sooner the Hindus die out, the better for humanity. But let me remind His Excellency, that he has pronounced the greatest condemnation upon British rule, in that it finds Indians today devoid of enough manliness to defend themselves

against looters, whether they are Moplah Mussalmans or infuriated Hindus of Arrah.

‘His Excellency’s reference to the sedition of the Ali Brothers is only less unpardonable than his reference to the tampering. For he must know, that sedition has become the creed of the Congress. Every non-co-operator is pledged to preach disaffection towards the Government established by law. Non-co-operation, though a religious and strictly moral movement, deliberately aims at the overthrow of the Government, and is therefore legally seditious in terms of the Indian Penal Code. But this is no new discovery. Lord Chelmsford knew it. Lord Reading knows it. It is unthinkable that the Governor of Bombay does not know it. It was common cause that so long as the movement remained non-violent, nothing would be done to interfere with it.

‘But it may be urged, that the Government has a right to change its policy when it finds, that the movement is really threatening its very existence as a system. I do not deny its right. I object to the Governor’s note, because it is so worded as to let the unknowing public think, that tampering with the loyalty of the sepoy and sedition were fresh crimes committed by the Ali Brothers and brought for the first time to His Excellency’s notice.

‘However the duty of the Congress and Khilafat workers is clear. We ask for no quarter; we expect none from the Government. We did not solicit the promise of immunity from prison so long as we remained non-violent. We may not now complain, if we are imprisoned for sedition. Therefore our self-respect and our pledge require us to remain calm, unperturbed and non-violent. We have our appointed course to follow. We must reiterate from a thousand platforms the formula of the Ali Brothers regarding the sepoys, and we must spread disaffection openly and systematically till it please the Government to arrest us. And this we do not by way of angry retaliation, but because it is our *dharma*. We

must wear Khadi even as the Brothers have worn it, and spread the gospel of swadeshi. The Mussalmans must collect for Smyrna relief and the Angora Government. We must spread like the Ali Brothers the gospel of Hindu-Muslim unity and of non-violence for the purpose of attaining *swaraj* and the redress of the Khilafat and the Punjab wrongs.

‘We have almost reached the crisis. It is well with a patient who survives a crisis. If on the one hand we remain firm as a rock in the presence of danger, and on the other observe the greatest self-restraint, we shall certainly attain our end this very year.’

In accordance with the direction and advice of Gandhi, the Ali Brothers wrote to the Viceroy thus: ‘Friends have drawn our attention to certain speeches of ours, which, in their opinion, have a tendency to incite. We desire to state that we never intended to incite to violence, and we never imagined that any passage in our speeches were capable of bearing the interpretation put upon them. But we recognize the force of our friends argument and interpretation.

‘We therefore, sincerely, feel sorry and express our regret for the unnecessary heat of some of the passages in those speeches, and we give our public assurance and promise to all who may require it, that so long as we are associated with the movement of non-co-operation, we shall not, directly or indirectly, advocate violence at present or in the future, nor create an atmosphere of preparedness for violence. Indeed we hold it contrary to the spirit of non-violent, non-co-operation to which we have pledged our word.’

At this point of time, Motilal Nehru expressed a sense of dissatisfaction at Ali Brothers’ statement in a communication with Gandhi. He wrote, ‘Scores, if not hundreds of our men have willingly gone to jail for using language far less strong than that indulged in by Ali Brothers. Some at least of these could easily have been saved by giving a similar apology and undertaking and yet it never occurred to anyone to advise

them to do so. On the contrary their action was applauded by the leaders and the whole of the NCO Press. The case which more forcibly than any other comes to my mind at the moment is that of Hamid Ahmad who has recently been sentenced at Allahabad to transportation for life and forfeiture of property... Is there any reason why this man should not be saved? I find Mohamed Ali pays him a high tribute in his Bombay speech of the 30th May. What consolation this tribute will bring to Hamid Ahmad from a man similarly situated who has saved himself by an apology and an undertaking, I cannot say. Then there are so many others rotting in jail who have committed no offence and a great many more already picked out for the same fate. It is enough for us to send them our good wishes from the safe position we ourselves enjoy?

‘I hope you will not misunderstand me. I yield to none in my admiration of the sacrifices made by the Ali Brothers, and consider it a high privilege to have their personal friendship. What has been pressing upon my mind for some time past is that we who are directly responsible for many of our workers going to jail suffering other hardships are ourselves practically immune. I think the time has come when the leaders should welcome the opportunity to suffer and stoutly decline all offers of escape. It is in this view of the matter that I have taken exception to the action of the Ali Brothers. Personally I love them.’

In a letter, later on published in *Young India*, Mahomed Ali wrote to Swami Shraddhanand and tried to wipe off some apprehensions which had been engendered in the minds of both the communities. He explained thus:...some Mussalman friends have been constantly flinging at me the charge of being a worshipper of Hindus and a Gandhi-worshipper. The real object of these gentlemen was to alienate from me the Mussalman community, the Khilafat Committee and the Congress. And further that since I hold Islam to be the highest gift of God, therefore, I was impelled

by the love I bear towards Mahatmaji to pray to God that he might illumine his soul with the true light of Islam. I wish, however, to emphatically declare that I hold that today neither the representatives of Islam nor of the Hindu, Jewish, Nazarene or Parsi faith can present another instance of such high character and moral worth as Gandhiji and that is the reason why I hold him in such high reverence and affection...As a follower of Islam I am bound to regard the creed of Islam as superior to that professed by the followers of any non-Islamic religion. And in this sense, the creed of even a fallen and degraded Mussalman is entitled to a higher place than that of any other non-Muslim irrespective of his high character, even though the person in question be Mahatma Ghandhi himself.'

In the opening months of 1924, when misunderstanding commenced between Hindus and Muslims, the Muslims had charged Maulana Mohamed Ali with having become a flatterer or worshipper of Gandhi. The reply given by Mahomed Ali, though convincing in contents, raised serious controversy in press and political circles. Gandhi expressed his views thus in an article entitled, 'Charge Against Mahomed Ali.'

'A gentleman writes to say that the Gujarati papers report Maulana Mahomed Ali as having said in a speech that Gandhi was lower than the most wretched Muslim... God knows what has happened, but at present there is misunderstanding between Hindus and Muslims all around. They do not trust each other...The Hindi and Urdu newspapers in northern India have overdone the thing—The Maulana who was asked in a meeting at Lucknow a question on his first speech, gave this reply, "I consider the religious principles of an adulterous Muslim to be better than Mahatma Gandhi's religious principles". Here the Maulana has not instituted a comparison between "Mahatma" Gandhi and an adulterous Muslim, but only between their religious principles. Hindu newspapers gave a distorted report of

his speech. They represented that the Maulana considered an adulterous Muslim better than Mahatma Gandhi. We have seen that he did not say so. Moreover, in his letter to Swami Shraddhanand, he has expressed his belief that "Mahatma" Gandhi is the best man in the whole world. But he has assessed the religious principles of that "Mahatma" as lower than those of an adulterous Muslim. There is no contradiction at all in this. Moreover, almost the whole world recognizes the difference between persons and their principles...In my humble opinion, the Maulana has proved the purity of his heart and his faith in his own religion by expressing his view...He merely compared two sets of religious principles and gave his opinion as to which was better.'

Role of Annie Besant

Greatly influenced by the philosophy of radicalism advocated by Roberts of Manchester and her contacts with free-thinkers and socialists like George Bernard Shaw and Bradlaugh, Annie Besant defied British system of government in India, glorified Indian culture and heritage, demanded self-government for India, and criticized and violent means used and advocated by extremists. Her speeches and writings had the glaring elements of force, strength, determination and fearlessness. She emphasized the well-known poetical dictum of James Russell Lowell. 'They are slaves who fear to speak for the fallen and the weak.'

Here was a novel method of propagating the principles and ideology of the Home Rule Movement. It was mainly through the media of discussions amongst various groups, organization of a series of lectures in district headquarters, launching of fund-raising campaigns amongst the rich philanthropists and common people, publication of literature-books, newspapers and pamphlets with main emphasis on *swarajya*, conduct of personal tours to various regions of India, by seeking the support and sympathy of universities-authorities, teachers and students, and last but not the least, to send deputations to England in order to mobilize British public opinion. Some of the speeches and articles have been recorded by the government in the official records available in the National Archives of India. The file is fairly comprehensive in contents and contains 277 pages.

Besides the extracts deal with national songs, articles by Mrs. Besant, A.O. Hume and others.

Besant believed that by understanding the past Indian traditions, the future in India could be shaped in a proper manner. She, therefore, shaped her programme in such a way which had a social and religious background based on the preservation of India's ancient traditions and culture. She sought to adopt western democratic system to Indian conditions.

Annie Besant was born on 1st October 1847. Her mother was Irish and her father, William Page Wood, of mixed Irish and English descent. The father was a London doctor. On her own showing she was of a neurotic temperament as a child 'of the stuff from which fanatics are made,' and, 'sensitive to impressions other than physical ones.' Her most marked characteristic in these early days was a rather morbid religious tendency. She stated: 'I longed to spend my time in worshipping Jesus and was as far as my inner life was concerned absorbed in that passionate love of the Saviour which amongst emotional catholics rally is the human passion for love transferred to an ideal, for women to Jesus; for men to the Virgin Mary.'

In 1866, Besant met the Rev. Frank Besant, a young Cambridge man who was acting as Deacon in a mission church in Clapham, and in the winter of 1867 she married him. Her marriage was apparently something of a shock to her and she certainly was ill-suited to her husband. She herself said, 'And in truth, I ought never to have married, for under the soft living, pliable girl there lay hidden, as much unknown to herself as to her surroundings, a woman of strong dominant will, strength that panted for expression and rebelled against restraint, fiery and passionate emotions that were seething under compression a most undesirable partner to sit in the lady's arm-chair on the domestic rug before me...But self-analysis shows the **contradictories** in my nature that led me into so mistaken a course. I have ever

been the queerest mixture of weakness and strength, and have paid heavily for the weakness...so I slid into marriage blindly and stupidly, fearing to give pain.'

The explanation probably is that the husband was a 'necessary evil' for the satisfaction of Mrs. Besant's religious emotionalism. She explained, 'The position of the priest's wife seems second only to that of the nun, and has 'therefore' a wonderful attractiveness in which the particular clergyman affected plays a very subordinate part...'

A son was born in January 1869 and a daughter in August 1870. In 1871 the children caught whooping cough. The sight of her children in pain was too much for Mrs. Besant. She mistrusted the Trinity who could allow such things and turned theist. From this attitude of disapproval of Christ it was a small step to theism and to a woman of Mrs. Besant's nature, the step involved active propagandist work. Early in 1873 she was legally separated from her husband, a step which was followed by a period of struggle against poverty. From theism she turned in the normal course of things to atheism, a course in which she was confirmed by her meeting with Charles Bradlaugh in 1874. They became close friends in this life at any rate and Mrs. Besant acknowledged the deep debt of gratitude she owed to Bradlaugh. She joined the National Secular Society of which he was the president and became as active in preaching atheism as she had been in preaching Christianity and theism. In accordance with her natural tendency to be against the government, Mrs. Besant made many enemies by her political outbursts. Amongst other questions with which she dabbled were the land question, the incidence of taxation, the cost of the Royal house, the House of Lords and Home Rule. She also represented the extreme anti-imperialistic spirit and inevitably made many violent enemies.

In 1875, she became one of the vice-presidents of the National Secular Society and retained the position until

shortly after joining the Theosophical Society. In 1878, her attention was drawn to India and she fiercely attacked the policy of the government. After two years she was again very active over Home Rule for Ireland, and published a pamphlet 'Coercion in Ireland and its Results' which had a wide circulation.

In 1884, she became interested in the work of the Fabian Society and worked hard in its behalf with such giants as Sidney Webb, G. B. Shaw and Graham Wallas to spread ideas of socialist economics. In 1886, she added spiritualism to her studies. Indeed the two volumes of the *Secret Doctrine* by Madame Blavatsky won her to theosophy. She joined the society in 1889 and in 1893 came to India to deliver her spiritual message. From this time onward, she lived in India and contributed much to education and Hindu revival by lecturing, by founding schools and by translating Hindu texts into English. As C. Rajagopalachari said, 'She helped young India to feel sure of the greatness of Indian culture and religion.'

She migrated to India and joined the Theosophical Society in 1889, settled here and after about two decades was made president of the society. Initially, she devoted herself to the cause of social and educational uplift of the Indians, but with the passage of time, she began to realise that no real improvement was possible without raising the political status of India. There is no doubt her 'Irish blood and Irish heart' was also partially responsible for this drift into a fight against British rule.

After her series of lectures on 'Wake Up, India', she inaugurated the publication of a new weekly newspaper, *The Commonweal*, and soon she announced a fairly comprehensive programme to be propagated under the aegis of this paper. She stated, 'In these columns, from week to week will be recorded such events as seem to be pregnant with significance for the future.' At this point of time, she had realized the magnitude of numerous movements in

the domain of religion, education and political and social regeneration. 'We would fain be the voice of the defender of dumb, the defender of the oppressed, the reformer of evil, the upholder of righteousness.'

During the course of a lecture "The Birth of New India" delivered in 1910, Mrs. Besant declared, '...I am a Punjabi; I am a Bengali; I am an upcountry man;" leave all that behind and teach your boys and girls to say "I am an Indian." Out of the mouths of the children thus speaking shall be born the India of tomorrow...Hindus and Musalman must join hands, for both are Indians... If India is to be the spiritual light of the future, in her must be focussed the light that comes from every faith, until in the prism of India they are all united into the one light which shall flood with sunlight the world, and all lights shall blend in the Divine Wisdom. That is our work.'

Perhaps the coming of the war and the avidness of the public for the latest news were partly responsible for the phenomenal growth of *New India* as an Anglo-Indian newspaper. Starting from practically nothing in July 1914, it was printing five thousand copies in August, seventy-five hundred in September, and ten thousand in November. Mrs. Besant ordered new presses from Liverpool, and without allowing for the delay in civilian shipping during war-time, purchased a large building at Second Line Beach to house them; commandeered the services of her own Vasanta Press in the interim; worried over the problems of illiterate compositors and inadequate distribution facilities, and exulted over the way her paper had already become a national institution. She also asked her supporters to subscribe £50 for a hundred subscriptions to English libraries so that it could become an international institutions.'

The following pamphlets were used as a means of propaganda amongst the students.'

1. *Indian a Nation*

2. *India and the Empire*
3. *Self-Government for India*
4. *The Political Outlook*
5. *Separation of Judicial and Executive Functions*
6. *The Future of Young India*
7. *East and West in India*
8. *The India Council*
9. *Under the Congress Flag*
10. *Home Ride* (a series of articles from *New India*).'

Both the Indian and the Anglo-Indian press had mixed reaction about the writings of Annie Besant. Most Indian papers supported her cause, but the Anglo-Indian press began to demand that she be asked to discontinue her activities. Where the *Times of India* was critical of her writings, the *Englishman* stated that her demand for *Swaraj* was nonsense. The *Indian Mirror* from Calcutta, the *Indian Patriot* from Madras, the *Indu Parkash* and the *Gujarati* from Bombay—all opposed her ideas. Other papers supported her ideology and the tone of her speeches and writings.

This kind of critical assessment of her writings did not dampen her interest, courage and strength. Time and again she talked of India's heritage, the urge for awakening and efforts for the development of educational system in order to prepare the people for Home Rule Movement.' For many long years past I have urged on you, and on those like you in all parts of India, the necessity of a spiritual awakening before the awakening of a material prosperity became possible. You know that, during many years past, since the Theosophical Society was founded on these shores, the importance of religion, the necessity of spiritual knowledge, has been constantly insisted upon, has been constantly urged; and in doing this, those who brought the renewal

of the message were only treading in the footsteps of their far-off predecessors, who have ever declared that from the spirit come forth all things that exist, and that without the life of the spirit not even animal, vegetable or mineral life were possible. That profound truth in the ancient philosophy of India is the only foundation for progress of every kind. One spirit, and one only; one life and none other; every form from the one living essence, every being rooted in the everlasting one.

‘In the past, I have sometimes traced for you, the steps of India’s descent; how from the time of her great spirituality, when the life of spirit was seen as the sun in the heavens, how from that time downwards, with the decay of spirituality, went also the desirable things. And I remember how often I have pressed upon you how first there came the lessening of the spiritual life, then the decay of the original side of intellectual thought, of the creative intelligence, and only when those had gone far down into the twilight, came the slow decay of material prosperity. You may remember that I have put it to you that the awakening, the reviving of Indian life must follow the order in which the descent had gone. First of all, the reviving of true spirituality of true religion; of the vital understanding of the profoundest truths of all existence; then, after that had made its way to an appreciable extent, must come the training, the culture, the guidance of the intelligence, so that a wisely planned and wisely guided education might train the future workers of the land. I remember saying to you that when that spiritual life has again become potent, when the educational life has again become pervasive, then only can material prosperity safely return. To men with the knowledge of the one, with the unselfishness which grows out of the realisation of the common life, to their hands only can be safely entrusted the material guidance of the people. It is along that line that Indian progress has gone for many a year past. First, the great revival of religion. It began with the revival of Buddhism in the Island of Ceylon,

where, as you may remember, education swiftly followed after the re-awakened faith. Then came the great revival of Hinduism, that has spread from one end of the land to the other, from the Himalayas to Tuticorin, and everywhere is recognised as a fact. Then followed the recognition that in a rightly directed education lay the only way of training for the motherland citizens who would be worthy of her past and, therefore, capable of building her future; out of that will arise all the varied activities of a full and rich national life and we shall see the nation, which India never yet has been but which India shall be in the days that are dawning.

Now the change to the material awakening has come somewhat more swiftly than most of us expected. I should say it has come a little too soon, were it not that I believe that over the destinies of nations the hands that guide are so wise and so loving that nothing can really come either too late. But, to our eyes, looking with purblind vision, we should sometime be almost inclined to say that events are travelling in India a little more rapidly than is well. For we need for the wise guiding of a material movement, men trained from boyhood in religion and in true wisdom so that the brain may be balanced and calm, the hands strong and steady; for the moment you touch the popular heart, you awaken forces that are apt to go beyond the control of wisdom, and it needs a nucleus of wise and steady thinkers in order that a popular movement may find its ways aright.

'Let us, then, at this moment of immense importance to India's future, consider what ought to be the line most wisely to be followed in the great rush which is coming upon us. I pause a moment on the sentence just uttered, of the hands that guide, and the wisdom and the love which shape a nation's destinies. It is no new thought to you, who have grown up in the atmosphere in which the celestial and the physical worlds are mingling—it is no new thought to you that the *Devas*, the shining ones, mingle in the affairs of

men. Nor should it be a new thought to you—although to many it may now seem strange—that every nation also has its own *Devas* who guide its affairs, who shape its present and its future.

‘Let me then remind you that in the vast unseen hierarchy who mingle in human affairs, there are *Devas* of many grades, as well as the great *Rishis*, who are the planners and regulators of events. First of all, there is the plan of the Lord Himself, of *Ishvara*, the Ruler of the system, who sketches, in the dawn of the creative days, the plan of evolution along which His universe shall go. Out of the innumerable conceivabilities in the mind of the supreme, some are chosen by the *Ishvara*, who builds a system, as the material for His system, and woven into the plan for His unfolding. No pen, save that of His finger writes that wondrous drama, which slowly is unfolded in the history of the evolving universe, written so that none may amend, written by a wisdom inconceivable to us, and by a love of which the deepest love of the human heart is but the faintest and most shadowy reflection.

‘Then the working out of that plan is given into the hands of those whom we may call His ministers, the great Ones who come into the system, from systems long gone by, to co-operate with Him in the shaping of a new humanity; into their hands. His plan is given, and theirs the brains of wisdom and the hands of strength that bring that plan into the details that we call history. They plan out the working and give to every nation the acting of a part in that great plan; to the *Deva* who rules the nation, and who has under his control a hierarchy of lesser *Devas*, that part is given to be worked out in the history of the people. Now the plan is for all humanity, and not for one nation only, and each nation, in turn, has its part to play; each nation, in turn, is cast either for the moment’s weal or the moment’s woe; and those only can read aright the history of humanity, who know the will of the householder, and before you can

realize the wisdom of household guidance, you must know the wants of the children and of the other members of the house. So in the history of people you cannot judge by the statements of the generals, the admirals, and the monarchs, who all work out the various tasks that are given them to do. You must look behind to those who guide to the great householder, the supreme *Grihastha* of the system. When we come to India, we know that all this is true of India and of the India's *Deva-King*, who stands high above the nation and works out millennium, the parts which are given to him for his nation to play in the world's history; these parts have outlined the nation's story through all the difficulties, the dangers, the humiliations of the past. On that I may not dwell long now. Partly tomorrow morning, in speaking of Kurukshetra, I shall have to explain the 'how' and the 'why' of the difficulties through which India has passed. For the moment I leave them untouched, to turn to that which immediately concerns us now, to the present and its working.

'First of all, in order that India might again take her place amongst the nations of the world, mightier even than in the past—a glorious past—there came the spiritual messengers, the messengers who were to revive the varied religions of the land. That has been done to a great extent as regards Hinduism and Buddhism. But you must remember that the other religions must also have, and to some extent have had, each in its own place, the advantage of the same spiritual and enlivening influence. Look at the community called Zoroastrian, and see how it has of late years, become spiritualising in its tendencies instead of materialising as in the past. The great faith of Islam is the one which only shows in a very limited measure the enlivening influence of the new spiritual impulse, yet there also the same working is beginning, and also there are signs of the spreading of the same influence, so that Islam also shall take her place spiritually alive and spiritually potent, to bear her part

in the reshaping of India as she is to be. That work is not finished, in fact never will be finished; it is rather ever continuing, but all the first great steps are taken and success in that is assured.

‘Passing to education, there an immense amount has been done and far more has yet to be done, as I shall show, to you in a few moments. We have only begun the very A B C of the educational reform which is necessary in order to make India what she would be. Now when a nation does not move sufficiently swiftly along the path of progress, when she does not rouse herself enough to the voice that appeals, that warns and that counsels, than the *Deva* of the nation takes other means in hand, in order to awaken his people and make them see along what lines their path should be trodden. And these other means used by the *Deva* are goads. They are like the whip that touches the horse when he is too lazy, and what you look on as national misfortunes, as things that you even cry out against with insistence and with passion, these are very often rightly seen, the goals which make a nation move a little faster towards the goal on which the *Deva*’s eyes are fixed. This is especially true just now, and will serve my purpose well as an illustration with regard to education. Education is a matter that belongs to the nation when rightly understood. Fathers and guardians are the people who ought to fashion the national education. How long have I been urging upon you to take this matter of education into your own hands, and not leave for others to guide and plan. How long in my travels up and down through the country, have I urged upon you the importance of this question of national education. I remember how, about three years ago, when I spoke in Bombay, I urged on every man and on every woman, mother and father, that on them lay the heavy responsibility of the education and the training of the child. I remember how there I urged upon that your own interests, if nothing else, should stir you to the guidance of your children’s education; for you

do not want to continue to overcrowd, as you are doing the ranks of the so-called learned professions and the ranks of the government service. Those are not things which make nations great, however necessary they, may be, and however necessary they are for the mechanism and administration of the nation. The thing that make a nation great, from the material standpoint, are not the learned professions and government service, but scientific agriculture, well-devised manufactures, thoughtfully planned arts and crafts, and the innumerable form of workmanship that go to the building up of national wealth. But along the lines on which education has been carried on, this has been left, on one side, mind you, the blame for that does not lie on the government; it lies on the people. It is useless and idle to blame government, when you are the people who can do it, if you have the heart, the will, and the perseverance. Out of your pocket comes every rupee that the government spends on education. Out of your pocket come the far too few rupees that build the colleges and schools, save the missionary establishments. If, instead of sending your boys to government colleges and missionary schools, you build your own schools, and had your own teachers, you might guide education exactly as you would. It is not that there is not money enough in the country. I know it is said that India is poor; so she is, in a sense, poor that is, as regards the masses of her people. But not too poor to build colleges and schools for your children while you are able to maintain, as you are doing, large crowds of men as mendicants, in the full strength of vigorous life, who are innocent of all sacred learning, innocent of the light, who have nothing of the *sanyasi* but the cloth that covers them, and who are yet fed and sheltered by the crore. India is not poor so long as your *Chetties* and *Banias* can give lakhs upon lakhs of rupees for the restoration of ancient temples and the gilding of their pinnacles. You do not need to increase your charities, that is not wanted; but oh! if you would only turn them into channels that fertilise instead of channels that corrupt, India would have wealth

enough to educate her sons and daughters, and to make possible a new life in the future.

I do not speak against the restoration of temples. That is well. It is well that man should worship, rightly, nobly and rationally. I do not speak against the restoration of temples, but I do speak against the mere restoration that leaves the priesthood ignorant and profligate. I do speak against the restoration of a temple where no school lives under its shadow, and where children are not taught by those whose duty it is to teach—less gilding on the pinnacles of temples, and more gilding of learning in the hearts of boys and girls. And if you would still keep your temples in order, but spend some of the money that is wasted on vast crowds of idle mendicants on the education of your children how rapidly would India rise in the scale of nations, and how quickly she would claim her right place among the peoples of the world.

‘And that is your work. Last year in speaking on “Theosophy in relation to Politics,” I urged upon you the formation of educational boards in every district of India. Now government has nothing to do with that. You do not need ask for government permission or authority. You have only to gather a few of your cleverest men and princes together and make them into an educational boards, for a definitely outlined area. What is wanted, is not government help. It is your work. What is wanted, is self-devotion, energy, initiative, the willingness to go through years of drudgery; for only in that way can true education be built up. This has not yet been acted on. The idea, when spoken about anywhere, causes a good deal of cheering, but only in a few places has there been any real earnest work, even in starting an Indian school Hence a goal was needed, and it has been applied. An education commission goes all round the country. The education commission presents its report, and the representative of the vast majority of those whose children have to be educated under the new

law presents a minority report—a minority of one. Now, certainly, if you weigh heads, instead of counting them that minority might outweigh many, for that one was Mr. Justice Gurudas Bannerji. He knew very well that sort of education was wanted by the people but he was only one, and the English majority shaped the education bill, and passed the act. When it was passed, a number of very wise protests were made—thoughtful, well-considered and rational—but why only protests? Why were not the protests followed by the formation of boards, which should do that which the protestors wished? The protest was wisely made. Such protests are necessary, but they should be followed by action, for thought that is not followed by action acts like a gangrene in the human mind. Better remain silent, better not even think, if you are not prepared to act; better not think, unless you are prepared to put your activity into action, for in the higher spheres, as you know thought produces action; down here, thought, and especially talk, without action, does not get a nation very far along the line of progress. So all the energy flows out in the talk, and nothing is done. The national *Deva* thought something more in the way of pressure was wanted, and the education act became law. And very well it did. You do not approve of it, nor do I; but still it was wanted, because nothing else would stir the people into action. That was why I said that where a people would not move by exhortation and advice, some goad was used in order to stir them into activity. Now that you find education has become dearer, that to educate the boys strains to breaking the narrow income of the fathers; now that you see higher education is being more and more blocked to the class that needs it most—a class hereditarily learned but always poor and the now largely shut out from the costly education of the days; now that the education question has come in this form, “You must take this costly education or nothing” — you must begin to say: “No, it shall not be nothing. It shall be something, created by my own hands and out of my own money and brains.” But in order

that the good may serve its purpose well it is necessary that there should be hot and, bitter feelings in the hearts of many of the people affected. It is that which makes the steam that drives the engine. It is that which presently makes the piston to go backwards and forwards and the wheels to turn. It is that which gives force, though it also causes an immense amount of excitement and foolish talk. These things are necessary, in order to generate the forces which make the engine of the nation move. So that, the education act is, as I regard it, a goal to make us struggle against it, as we are obliged to struggle at Banaras, in keeping our fees low. I am glad it has passed, because it has — I hope it has — given the impulse which will make men take the education of their children into their own hands.

‘But now how? By beginning at the right end and not at the wrong. First, by making your Educational Boards all over the country; next by creating colleges and universities, and most of all by making such a public opinion, especially among the Indian princes, the great merchants, and employers of labor, as shall induce them to recognize the degrees given by the Indian Universities as valid credentials for those who are seeking employment. Until you have done that, you have done nothing. It is no good even making a university, unless you have made a body of people who are prepared to take its graduates when they have taken their degrees, and thus open to them means of livelihood. It is no good beginning with boys. You must begin with men.

‘Now I will tell you why I object to boys being thrown into political conflicts. They may ruin their whole lives in a sudden surge of excitement and in their manhood bitterly reproach those who took advantage of their inexperience. While education is under control of government, and the fate of every boy is in the hands of the officials of his town, it is cruel to fling the lads against them. A boy dismissed from school or college, and refused a leaving certificate, has his education ruined and his future livelihood destroyed. When

people un-accustomed to political action suddenly plunge into it, they are apt to think after they act instead of before. Here lies one of the dangers in India's awakening, and that is what I said, I fear it has come to soon. Those who are trained in politics, as in my past life I have been — for I have taken a large part in the political struggle of the people in England, and I worked there in difficult times side by side with my old friend, Mr. Charles Bradlaugh—make it, as we made it, one of the rules of political life never to tell another man to go where there was risk, where we did not go in front; never to tell a procession to go where there was danger, unless we walked in front, so that we should be the first people on whom blows fell. It was the glory of Charles Bradlaugh, when he lay on his death bed that, despite his struggle and difficulties, there was not one home that had been made desolate by him, not one man who had gone to jail for the work that he had asked him to do. The front is the place of the leaders; it is the place of the man, and not the place of the boys.

“There is another reason why it is bad to send boys to the front. There can be no wise politics without thought before hand. People who shout first and think afterwards make a mob, they do not make a political party; and that is the thing that the boy does. How much do you think a boy of this height (pointing to a boy about four feet) knows about the good or the evil of the partition of Bengal? He shouts out and protests. It is bad training for the future. In the college, students should discuss political questions. They should debate them, discuss them, and talk them over in every possible way. We train them to do that in the Central Hindu College. But we do not allow them to protest against the government. And the reason is a very simple one. When they have discussed these questions beforehand, when they have talked them over, then, when they have gone out into the world, they will be ready to form rational opinions. But if, before they study and understand the question of the day, they shout out their approval or disapproval out of

empty heads, they make a great deal of noise, but noise of no value, like bladder which, when beaten, makes a noise, but collapses if you prick them with a pin. I do not want India to work along those lines. Train your boys to think first and then to form opinions, not to call out first and then wonder what they have been shouting for. That is bad moral training. It puts boys on wrong lines, and it takes away that profound sense of responsibility which ought to be at the heart of every one who mingles in political life. For remember what playing at politics means. Remember that it means playing with property; it means playing with liberty; it means playing with the lives of men. Leaders in the political arena have to remember all that, when you have a man like Mr. Gokhale — who has trained himself by years upon years of study and of self-denial, by his self-sacrificing work in the Fergusson College, for twenty years, on seventy-five Rupees a month and a retiring pension of twenty-five Rupees a month. When you have a man trained in that way, and one who studies every subject to the very bottom before he speaks about it, then you have a man who may be trusted and of whom a nation may well be proud, a worthy leader in the political arena.

‘In the matter of education, why not begin to act? You know you send your boys still by thousands and thousands of missionary schools, and it is a disgrace — not to the missionaries, for they are doing work which they honestly think to be the glory of God and for the good of all men; they believe that their religion is much better than yours, and I am bound to say that they love it better, because they work for it much harder, as a rule. You ought to remember that your religion is the oldest of all living religions, and the most perfect in its range and in its details. Surely, it is not for you to take the children, whose bodies you have given, and robbing them of their birth-right, put them into other hands and mould them in an anti-Indian fashion. The missionaries do not make many Christians. Here and they do, as in Trichinopoly, but, as a rule, they do not make many

converts. But I tell you what they do. They dig up the roots of devotion and religion in the plastic soil of the boy's heart. They wither them with ridicule, they trample them down with sarcasm, and when the boy grows up, he grows up an unbeliever in all religions, a bad Hindu and not a Christian—a kind of hybrid, who is of no use to his country. When you de-spiritualise an Indian, you denationalise him. Why does that go on? Because you do not care. It sounds hard to say so, but it is true. If you cared, it would not last for another month. What does it want to bring about the change? A few men in every town to band themselves together into an educational committee; a few rich merchants to be visited and asked to subscribe so much per month for some years, and then the putting up of a building for a school, and the sending of the boys. There is one difficulty in your way — the recognition of the school by the government, and that is a serious difficulty as things are, for unless the school is recognised, the pupils of the school are not permitted to go on into the university. Still, if you would work well and steadily and perseveringly, you would, I think, be able to win recognition in the long run and, if not, to do without it. I have in my mind what happened in Trichinopoly two or three years ago, when got a few people together who said that they would collect monthly subscriptions in the town to have a college of their own. The Roman Catholics have a college, and some other missionary body has a college, but, the Hindus and the Mussalmans have no college of their own. Did they succeed? Not a bit of it. I myself drew up a proposal for the Madras University. The University took into consideration. But where were the funds? The people of Trichinopoly did not care enough to keep their children from the missionary schools and colleges to supply the small sum, comparatively, that is wanted to make a college there, where the Hindu and Mussalman boys might learn apart from Christian influence. Not long ago in another southern town, there was a college for sale. and for sale without money. It is not often that you can buy anything

without money. The government wanted to get rid of it, but the government asked for a body of Hindu gentlemen who would pledge themselves to conduct the college. But they could not get them. The college went—abegging and still is in government hands.

“These are the things which you have to take seriously, especially now that the people are awakening. For things are going on swiftly and unless you bestir yourselves to make your educational mechanism, the tide of enthusiasm will flow into channels that will be harmful instead of useful. Do not call your boys out from the present schools until you have others in which to receive them. When you can say to your son: “My boy, walk across the road to that school, which is our own,” then by all means do it. Then you can do without missionary schools. Otherwise you will find yourselves in endless trouble. What you should do in Madras, and do at once, is to begin the formation of a great organisation of leading, wealthy, influential people who will give employment to your boys, if need be, when the pinch comes, and government refuses to recognise your colleges or universities. I believe in Indian universities for Indians, where Indian degrees shall be given in arts, and science and in industries that are useful for the national unfolding.

“I see they are now going to teach French and German, Latin and Greek. Very useful, no doubt. So many of you will want to go to France, and talk French in Paris. So many of you will want to go to Germany, and enter into trade concerns there. Latin and Greek you may want to read, in order to understand mediaeval Christian writers, I suppose, for your spiritual training. Unless this absurdity is the idea, it is difficult to see why they should be preferred to Sanskrit and Arabic, for Sanskrit is as good and as intellectual a training as either of these two languages—Greek being but a child of Sanskrit—and Arabic is the language in which the mediaeval learning of Islam is embodied. Our Mussalman brothers are not at present wise enough to

vindicate Islamic learning by translating the treasures of that knowledge which from Baghdad spread into Europe. Arabic and Sanskrit these are the two classical languages for India, not Latin and Greek. Instead of French and German, you should teach English and one vernacular, one common language which would serve everywhere as a means of communication between educated and uneducated alike. You ought to make Hindi a second language throughout the land. I have heard it said, Tamil has a literature which is magnificent, and this must certainly not be left to die. But in addition to the boy's own vernacular, he should always learn Hindi for that is the most widely spread vernacular of the country, and one can go from one end of the land to the other and talk in Hindi to all, save the most illiterate people in every part of it. If you had Sanskrit or Arabic, according to the religion of the boy, Hindi as a common tongue, a thorough knowledge of his own vernacular, and then the necessary English for all dealings with foreign countries, and in government and court matters, you would have an education, so far as languages are concerned, that would make a boy ready for the future, and enable him to take up his work in the world as soon as he goes into it.

The most important thing, which I have often urged is technical education, and above all thorough education in agriculture. Unfortunately you have only one general business here, namely, agriculture. At least it might be made very much better than it is at present, so that famines, which are a recurring horror in the land, might be prevented. Famines are preventable things, and things that ought to be prevented. But they can only be prevented by a wiser system of agriculture on the one hand, and by the building up of manufacturing industries throughout the land on the other.

'But, mind you, the manufactures that you want are the manufactures of this country. Here arts and crafts are fast dying. Your weaving craft is dying out of existence,

because its products are not bought. That brings me to the next point, for education here slips into economics. Why is it that the weavers of cloths, the potters, and metal workers, and the makers of beautiful object of all kinds, the weavers of shawls in Kashmir, and of muslins and silks in other parts of the land, why are they slowly disappearing? These people, who by heredity, are fitted for the work, are swelling the ranks of the agricultural labourers, starving the land and overcrowding the fields. Why this? Because for many years you have been wearing foreign goods in preference to home-made ones. It should not have wanted the partition of Bengal to teach you to produce at home what you need. When you think of it, the *swadeshi* movement has nothing to do with that. Whether Bengal has one Lieutenant-Governor, or two, may be a point of serious importance to the population over whom they rule. But the partition of Bengal was not wanted to make the *swadeshi* movement. The *swadeshi* movement was not born after the partition. It has been going on for years and up and down the country, but the difficulty was that only a few people were in favour of it, and the great mass of the people were totally indifferent. One thing, of course, was that the foreign-made goods were cheaper, but also less durable. Assuming that they are cheaper how stupid that they should be so! You grow cotton, you send the cotton to Lancashire, Lancashire spins and weaves into cloths and send them out here, and sells them cheaper than you can spin and weave your own cotton! There is something very badly managed in this, to say the least of it. If a thing can be sold more cheaply after paying all the freight to Lancashire and back, after paying high wages in England instead of small wages to Indian hand-loom weavers it is certainly by some queer kind of upside-down management. I am not forgetting, of course, the unfair duties levied on Indian mills for the benefit of Lancashire, and other difficulties that occur to your minds. But they do not practically touch your village weaving industry at all. You should have

gone on supporting the Indian weaver, working in his own village and giving you lasting and well-made cloths. If that had been done the village weavers would have remained prosperous, and that prosperity would have reacted on the agriculturists and so with everything else. Fashion has been more powerful than patriotism. Now, thanks to the partition of Bengal, poor patriotism has a chance. But the present enthusiasm for *swadeshi* goods will only be a flare like the blaze of twigs, easily lighted and quickly dying out, unless a principle underlies the movement and not a passing political irritation. No durable things are built on violent passion. Nature grows her plants in silence and in darkness, and only when they have become strong do they put their heads above the ground.

‘Now I am glad of all this excitement, for, as I said before, it generates team. It has made the *swadeshi* movement a far more living movement than it was. So I am very glad of it. I am glad to see all the forth and the bubble and the fuss. Some of them are very foolish, I admit, but still it means life instead of stagnation. What all good men should set their faces against is any attempt to put forcible pressure on people to do what others think that they ought to do. Wear *swadeshi* clothes, as I have been urging you to do for years, but if your neighbour chooses to wear an English coat, argue with him, tell him it is unpatriotic, but do not tear it off his back. That sort of violence has ruined some good movements in England, and it is always wrong. None has the right to force other people tread his own path against their will. Every man has a right to use, to follow his own judgement. Convince him by argument and reasoning. Tell him that his conduct is unpatriotic, wrong and irrational; tell him he is making other countries rich while he starves his own. But do not carry on a mad crusade against everything English, especially with the help of the boys. Appeal to a man’s brains. Surely there is no prosperity; without home manufactures, there are

recurring famines; without home manufactures, there are overcrowded unproductive professions and under-manned industrial pursuits.

‘Every one of you can quietly, in his own town, go against the craze for foreign goods, and help forward Indian manufactures. It is so easy to do. Sometimes there is a little more trouble, I admit sometimes I have had to wait patiently for four or five days, or even weeks, before I could get an Indian-made thing, when I could have got a foreign made in a moment; but if you cannot be patient for the sake of building up the industrial prosperity of your country, what a poor thing your patriotism must be. Help this movement in every way that you can, save by ways that are wrong; for remember that the *Devas* are behind all national policies and, therefore, that the wrong way is always the long way, and useless.

Utilise the enthusiasm of the moment by turning it into wisely planned channels. Band yourselves together, for co-operation strengthens and helps enthusiasm. Use the crafts and products of this country in preference to others. But be a little patient. If you find that government which has been favourable to this movement, is now frowning on it in one part of the country, remember that, after all, that is quite natural under the conditions that have arisen. Governments are only men, just as you are, with the same faults and the same shortsightedness. Therefore the government should learn to be patient with she governed, and the governed with the government. Now, in the past, government has been favourable to the Swadeshi movement, and it will be so again. Naturally, for government does not want famines in the land; it does not want the people to be poor, for, apart from all questions of humanity, if they are poor, they cannot pay much in the way of taxes. It is to the advantage of government that you should be rich; therefore it will help the movement again, when things are quieter; just now, it has been made into a political battle cry, but that will pass.

Politics are constantly changing, one burning question today and another tomorrow. Go on quietly and steadily without any fuss, building up your Indian manufactures, educating your sons. You think brains are wanted for pleading; much more are brains wanted for carrying on large agricultural and industrial concerns. We want the brightest brains for the building up of Indian industries at the present time. If an Indian Prince wants to have an electrical plant installed in his capital, he has to go to Europe to find an engineer who will set up for him his electrical machinery. That must be so until you educate your boys on the right lines. Educate them on all the line of learning wanted to make a nation great. Get rid of the stupid idea that it is good, from the standpoint of class, to be a starving pleader, and had to be a flourishing merchant. It is a mistake. A nation that goes that way goes down. It is a man's business to make his livelihood respectable and respectability grows not out of the livelihood but out of the man. A man of high character, of noble ideal, of pure life, can make any calling which helps national prosperity is more respectable than a calling which does not. That is a lesson that has to be learned in Modern India.

Many resent the changes which are coming about but although many of them be not a long the lines of the ancient civilisation, yet it must be remembered, that the spirit of this time, as much as that of any other, is the Divine Spirit. In whatever form it clothes itself it is in the work of humanity to-day, as it was in the work of humanity in the past, to help humanity onward?, or to make it step forward in the right way. But it is not the right way now to tread only in the foot prints of the past, simply to re-introduce what has been. Your duty is to be inspired by the same spirit that made the past great, and in that spirit shape the form suitable for the India of tomorrow.

Why should you be afraid to tread a new path? What is the creator of every form save the spirit? Why then be afraid

to go on with life, and to leave dead forms behind? And the strange thing is that often men cling most passionately to the forms which do not really belong to the life, but which are only excrescences which have happened to grow up round the living forms, as barnacles grow on a ship's bottom, and can be knocked off without harming the ship. There is one rule that helps us in distinguishing customs that are only barnacles from the vessel that carries the life. That is to be preserved which is ancient, according to the shastras, and universal. But the things which are local, partial, modern, not according to the shastras, these are the things which may indeed have been useful at the time of their formulation, but are now the useless and even mischievous barnacles on the ship. Trust to life, to the living spirit. We were not there to guide the life, when it made the glorious past. Life can be trusted, for it is divinely guided, and all we have to do is to co-operate with it. That is the idea you must have above all things. Life is something greater than yourselves; you are only one tiny part of life, and the life makes its own forms. Study its tendencies and work with them, but it is life that builds, not men. Then you co-operate in the building of the forms, and if a form does not succeed it will be broken; and you should be glad in the breaking of the useless form as you should be glad in the form that means success. Failure often means winning, and it needs dozens, nay hundreds of attempts, before the perfect masterpiece shines out in full. Trust life; that is the great lesson for these days of change, for change is coming, change from every side. Those changes that are good will endure, and you must be very patient while they are in the making. Be full of hope and full of courage.

'All men die. You may say: Is that encouraging? Surely yes, for when a man dies, his blunders which are of the form, all die with him, but the things in him that are part of the life never die, although the form be broken.

"There is a new form to be built here, a form which has never yet been built and that is India herself as one nation. As one nation, she exists in the world of spirit; as one nation, she exists in the world of mind. As one nation, she has never yet existed on the physical plane, but the day of her birth is near. Many states and Kings have been, many Maharajas, Rajas, and some times one Raja, great beyond his fellows, has held a wide imperial sway. But never yet has there been one India from north to south, from east to west. But she is coming. That one India, when she comes, will have her head crowned with the Himalayas, and her feet will be bathed in the waters that wash the shores of Tuticorin; she will stretch out her right hand to Burma and Assam, and her left hand to Kathiawar and Baluchistan. That India has to be born. How? First, by believing in her with a strenuous faith, for faith is a mighty power; and then by thinking of her and aspiring after her as an ideal. For what a man thinks becomes actual in practice. And never yet was a nation born that did not begin 'in the spirit, pass to the heart and the mind, and then take an outer form in the world of men. That India, the sound of her feet is on the mountains, and soon the rising eastern sun shall glow upon her forehead. Already she is born in the mind of men.

'But let your thought for unity be potent and resolute; learn to drop sectarian divisions; learn to drop provincial divisions and animosities; leave off saying "I am a Madras; I am a Punjabi; I am a Bengali; I am an up-country man"; leave all that behind and teach your boys and girls to say: "I am an Indian." Out of the mouths of the children thus speaking shall be born the India of tomorrow. Many religions will grow within her; not only her own parent religion, but others too will be woven into her being. Hindu and Mussalman must join hands, for both are Indians, Hindus, Mussalmans, Parsis, Christians, must join hands for all are Indians. In the India of the future, all men of every faith must join. If India is to be the spiritual light

of the future, in her must be focussed the light that comes from every faith, until in the prism of India they are all united into the one light which shall flood with sunlight the world and all lights shall blend in the Divine wisdom. That is our work. My brothers, I am now talking to you, but this thing will not be made by talking. It is made by living. I would not dare to speak to you and offer you counsel if I did not strive to live that which I advise. Day by day, week by week, month by month, I strive to shape my life on the noble mode which may serve the land, and in serving India will serve humanity; far greater than any land is humanity, and greater than any one people is the race of whom all peoples are but branches; and if we have such hopes of future India, it is because we believe that her coming will be a new light to the world. There was an old people in the ancient days, and not very ancient either, that was conquered, and apparently cast away. One person of that race cried out: "If the fall of them be the richer of the world, what shall the receiving of them be but as life from the dead?" If India's humiliation has been, in a very real sense, the riches of the world — for this has been the means of spreading India's thoughts in the most widely — spoken tongue of the world—to the North and South East and West, all round the habitable globe — what shall it be for humanity when India herself in her new glory is born into the world? India, from whose lips, in this land of the *Rishis*, came the religion that uplifts and spiritualises the philosophy that illumines, and the science that trains India, from whose mind, throughout the world of mind, came those great system of thought which are now recognised as the noblest products of the human intellect; India whose feet once passed through many states, and made every one of them fertile, prosperous, and wealthy; India, who was perfect in spirit and mind; when that India is born into the full, vision of the eyes of men, perfect in body, is it too much to say that her coming will be as life from the dead? That is the glorious goal, for which we work; that is the

splendid hope, that cheers our labour; that is the sublime aspiration, that rises perpetually to the ears of the *Devas*. For India's coming means the spiritualising of humanity; India's thinking means the lifting of thought on to a higher level; India's prosperity shall be the justification of religion, the justification of philosophy, as part of a nation; and the world shall be redeemed from materialism because India is awake'.

In the session of the Indian National Congress held in Madras in 1914, Mrs. Besant gave vent to her feelings about the self-government for India. '...Realise that you are asking now with a note of hope in your voice that, before you could hardly venture to have so made, that the time has come when India shall come to her birthright...she has suffered and through suffering she has learnt; she has endured, and through endurance she has grown strong; and in the patience of her waiting, comes her right to demand her freedom, and to be granted that self-government which alone can satisfy the longings of the Indian nation.'

In a resolution on self-government for India passed in the session of the Indian National Congress held in Bombay in 1915, she stated, 'Oh! you are not fit for Self-Government. You are ignorant... It was the late Mr. Gopal Krishna Gokhale who tried to win free and compulsory education cautiously, carefully step by step, for he was not an impatient idealist in the world... It is only Home Rule that will enable us to defend ourselves...'

While levelling trenchant criticism against British rule in India, Annie Besant emphatically pointed out that it gave our country nothing but, famines and poverty by cutting at the very roots of its indigenous economic system and imposing modern 'political economy'. She explained, 'To impose English political economy on India was a folly, but folly nonetheless to which India faced degradation and destruction of arts and manufactures.'

In an address delivered to the Hindu College Boarders' Debating Club at Banaras as the anniversary meeting, Mrs. Besant explained thus: 'During the plastic years of boyhood it is best to mould and shape the character after its own type, to make the Mussalman boy a good Mussalman, the Hindu boy a good Hindu. Just as stones are shaped and fitted and then built into their respective places in an edifice, so must these boys be shaped and fitted by their several religions to be built into the Indian nation. Let us then hold up as an ideal the Indian Motherland,, the Indian nation; let us popularise the idea, till the heart of each province throbs in unison; then let her descend into the world of facts, let the Indian nation be born.'

During the course of a lecture on 'The Means of India's Regeneration' Mrs. Besant laid emphasis on simple Indian dress made of *khadi*... The inner feeling and outer expression often go together, and he who westernises his outside attire is very likely to grow western inside as well, and, therefore, instead of strengthening, he really tends to weaken his Motherland. Then again question of economy comes in. Clothing which fifty years ago cost very little, is now a serious drain upon the purpose... Again to the ordinary Hindu this westernising process means a far greater demand upon him in other matters than that of clothing; for not only does it mean a change of dress, but it also means an increase in the number of meals, a change in their character, increase of wants in furniture and so on, until if you work it out, you will find it means a greatly increased cost of living.'

In an article on 'India and the War' in the *Indian Review*, Mrs. Besant opined. '...When all danger is over, when peace takes the place of war, and when the domestic concerns of each nation again assume their natural and rightful place in the minds of the people, then, of course, the questions now dropped will again be raised... We may, however, be sure that, when they come to be dealt with,

they will be approached in a spirit very different from that of previous years.'

The Acting Chief Secretary to the Government of Madras informed the Home Secretary, Government of India on 17 November 1916, 'The activities of the Home Rule League continue. Special Home Rule classes have been started and are to be held twice a week in the hall of the Young Men's Indian Association at Madras; the first meeting was taken by a number of the Theosophical Society under the presidency of Mrs. Besant herself, the attendance being variously reported at from 70 to 120. The influence of the Organizing Secretary, Mr, Arundale, is undoubtedly on the increase and his name is mooted as possible political successor to Mrs. Besant. Attention is being concentrated on the student classes... This is not matter for surprise seeing that students and school-boys read *New India* regularly, study Mrs. Besant's political pamphlets and attend home rule classes and lectures laying special stress on the great part which the youths of today will play in the future of India. The bad effect which this has on discipline extends outside Madras; it has been specially noticed at St. Joseph's College, Trichinopoly. and in the College at Coimbatore where notices inviting the readers to 'kill the English' and to 'worship Mrs. Besant' were recently found posted up on the College gates.'

The meeting of the 'Madras Parliament' was the regular feature. On 29 November 1916 Arundale gave the Home Rule volunteer corps a first lesson in drill and was stated to be devising a uniform for them; he had indeed taken active part in the inauguration of the Boy Scout movement as a branch of the 'Son-of-India Order, Separate sections were proposed for different areas in Madras and the Scout, it was understood, were to be known as 'Sivaji's' troop. The government source reported, 'While Mrs. Besant and her lieutenants pay particular attention to the student class, there are indications of the initiation of a special

campaign for village work, based mainly on the distribution of vernacular pamphlets and the itineration of Home Rule preachers. Hitherto the district reports have for the most part pictured the Home Rule movement as confined to younger vakils and students in Central towns, but in the report from the Guntur district for the past fortnight the Collector lays stress upon the activities of the League in the delta villages of the Tenali taluk. *New India*, he writes, owing largely to its cheapness, has a very wide circulation in rural areas generally; and the fact, in his opinion, is giving the Home Rule movement a marked impetus among English-knowing people of all classes, the paper has a specially large circulation in the lower ranks of Government service.'

By 1st January 1917, Mrs. Besant and her lieutenant. Arundale, temporarily transferred their personal activities to Northern India, travelling to Lucknow by way of Calcutta and Bombay. *New India* continues its laudation of "Professor" Ramamurti who on the 18th December (1916) delivered a lecture of physical culture to a gathering of students "thus preparing" to quote from *New India* "in one particular field the way for young men for the priceless boon for Home Rule."

"The same source opined thus, "The *New India* has also held up to admiration Ramamurti, the Indian sandow, whose troupe has been giving recent exhibitions in Madras. Ramamurti who coquetted with Home Rule in Tanjore a few weeks ago, has been likened in an editorial to Bhima, the hero of the *Mahabharata*, his feats of strength being attributed to his devout practice of breathing exercises, mind concentration and other forms of *yoga*, commended in the Hindu Shastras and appropriated by Theosophists as part of their cult. The line of argument was that it is incumbent on the youth of India to imitate Ramamurti if they wish to achieve Home Rule.'

On 28 June 1917, the Home Secretary to the Government of India communicated to the Chief Secretary,

Madras Government thus: 'The effective control of Home Rule meetings raises a question of considerable difficulty. The utilization of Rule 3 of the Defence of India Rules in order generally to prohibit organizers of any meeting from including in their agenda of business the subject of Home Rule would not, in the opinion of the Government of India, be legitimate. It was indeed impossible to maintain that a meeting called to advocate the policy of self-government within the Empire in due course of time was in any way open to objection. The Government of India realize the great difficulties to which the local Governments are exposed in this matter. They think, however, that these difficulties would only be increased by a general prohibition of this character, and they are of opinion that the question of prohibiting organizers of meetings from including the subject of Home Rule in their agenda can only be decided with reference to the particular facts in each case.

After a fortnight, the Chief Secretary stated 'The Home Rule League is arranging to open reading rooms and libraries in different parts of the city... On 11th November Mrs. Besant opened a girls' school in Madras....'

The government of Madras reported in November 1917 thus, 'The Home Rule party are supporting the meeting praying for the release of Mohamed Ali and Shaukat Ali.... The issue of *New India* dated 11th October contains a lengthy plea for their release by Sir Subrahmania Aiyar... Incidentally the bureaucracy is charged with arrogance and inefficiency... A special endeavour was made to bring the Indian mercantile community into the Home Rule fold by promises under a white trader and to foster industries by making provision for technical, industrial and scientific education, matters alleged to be ignored by the present Government.

'An incidental consequence of the cancellation of the internment orders is that the Theosophical Publishing House is again advertising Mrs. Besant's book 'How

India Wrought for Freedom,' with its highly mischievous introduction as furnishing the best proof of India's fitness for self-government. Another direction in which her personality is being advertised is by the issue of Home Rule stamps now on sale at one pie each. The device consists of a portrait of Mrs. Besant encircled by a scroll, 'for God, Crown and country interned, 16th June 1917," so arranged that the word 'Crown' appears in specially large letters immediately above her head. On three sides of the stamp the words, 'Home Rule' appear in five languages.'

'A Home Rule flag has for some time adorned the office of the Home Rule League in the Chandni Chowk in Delhi, but it attracts no notice and has been ignored by Government. It is believed also that the Home Rule flag has been used freely in connection with Mrs. Besant's visit to other places in India and that she herself habitually flies the flag on her motor. No attempt has however been made... to prevent the flag being flown.'

The Association for the Study of Their Mutual Interests, based in London published a pamphlet, containing 18 printed pages, entitled 'Mrs. Besant and India' for a wider circulation of Mrs. Besant's ideology. It contained meaningful contents like ignorance of Indian affairs, the awakening of India, the past as a key to the present, justification of self-government, Mrs. Besant's efforts for Home Rule Movement, her duty now, her appeal to the people i.e. 'To My Brothers and Sisters in India.'

In Madras, the 'protagonists of the Home Rule League used certain devices to popularize Home Rule movement. The signatures were taken by all sorts of 'devices'. They were assured to secure the reduction of taxes, so secure reduction in the prices of food-stuffs, to get more trucks for carrying of goods; to get the railway authorities to run more trains; to have the rule requiring admission to platforms by tickets cancelled and last but not the least to get Mohamed Ali and Shaukat Ali released. In Kunool, 'Not

infrequently ryots have been induced to sign by representing that under the Home Rule *regime* they will be freed from irksome restrictions, e.g. the Forest and Arms Act and Rule, thereunder that land revenue will be reduced and so forth. Nothing is easier than to collect support in the shape of signatures by such inducements, especially as there is no chance that those who hold them out will ever be brought to book in case of non-fulfilment of promises. The Apostles of Home Rule have, I believe, usually been pleaders, not in the first rank, but one or two influential members of the bar have also joined... There is no sign as yet that the ryot population either understand or appreciate what is meant by Home Rule as such, or that they really expect any marked changes in present conditions.

The government felt much concern about the Home Rule propaganda amongst the masses of India. It thought that such a political programme would greatly hamper the speedy functioning of the various branches of the administrative machinery during the war. It, therefore, requested her to drop the Home Rule propaganda till the war was over. But she refused to abide by the government's request.

Sri Prakasa stated about Annie Besant's qualities as a speaker. 'Mrs. Besant while lecturing did not use many gestures. The few she did were very characteristic... A person who delivered so many lectures would naturally be expected to be hoarse sometimes. She never was. She never strained herself and so she never broke her voice... Her pronunciation was so perfect and her voice carried so well that large audiences could hear her easily. If the audience was too large and the fringe of it could not hear her, I do not think she worried. If there was any disturbance during her lectures she never lost her patience; she just went on. Soon the music of her voice silenced the opponents, and even when they did not agree with her, they heard with respect. Usually speakers are careless. Many go on drinking cold water as they speak, and some I have found drinking cold

water even after their speech. She never required any water to drink while speaking, and at the end she certainly never took cold water, but hot tea... She would come punctually to the minute, go to the centre of the rostrum, put both her hands on a little wooden rest in front, and start her lectures straightaway. There was no president to disturb, either at the beginning or at the end... Mrs. Besant's life on the practical concrete side, has, I believe, three lessons to give: take care of your time; take care of your friends; take care of your health. She did make 24 hours yield more solid work than three times as many hours do to almost any one else. She was constantly travelling; but she utilised all the time while travelling for her work... She wrote hundreds of letters while travelling, and did much literary work besides. She always carried a large number of books with her. She used to be a great reader of books, magazines and novels as well... There was almost always a settled sadness and seriousness on her face. She did not like slipshod work and she insisted on things being done properly.'

Pentland described the Irish lady as '...imperious and even unrestrained in temper, vain, restless and ambitious, of commanding intellectual powers and wonderful bodily vigour, a most capable organiser, thoroughly versed in all the methods of western political agitation and controversy, a persuasive and forceful speaker, with apparently ample financial resources at her disposal.'

Ideology of Tilak

Tilak was the first Indian leader who enthused courage, confidence fearlessness, strength and determination amongst the people of India. He declared unequivocally that constitutional agitation would not by itself have any effect on the British government. He, therefore, made it a confirmed political programme to organise the masses under the banner of the Indian National Congress and to make it the real and dependable spokesman of the people. Undoubtedly it is he who made the people realise of their fundamental rights by ensuring their active participation in Indian politics against the *Raj*.

The celebration of national festivals in a large scale was another shrewd measure of Tilak to engender in the hearts of the people a feeling of oneness, self-respect, and self-sacrifice with a deep sense of national respect and honour. He was also greatly responsible to widen the implications of *Swaraj* and made it a most sacred slogan for realizing the goal of independence cherished by one and all. He is rightly called the Father of Indian freedom struggle as he dominated the Indian political scene for about three decades.

Undoubtedly, Tilak was also the first Indian leader, who planned to make his movement mass-based. He himself went down to the masses dwelling in the remote villages and gave them the message of their rights and implications of the freedom struggle. He became the editor of the *Kesari* on 22 October 1887 and of the *Mahratta* on 3 September 1891.

With the *Kesari* he was in his element. A weekly paper and with a circulation of over 35,000, it moulded the national life of Maharashtra. The *Kesari*, as the name indicates, stood for manliness, strength. Its style was like the physiognomy of its, illustrious editor, plain, blunt and aggressive. It was 'reason fused and made red-hot with passion.

Tilak's release in 1914 gave a new twist to the existing nationalist politics of India. It was a common belief earlier amongst the bureaucracy that he would not be able to survive the oppressive sentence he had to undergo in Mandalay. Though nearly broken in health, he maintained a most formidable spirit which was yet to launch an *anti-Raj* movement. He was in receipt of numerous messages from his followers and well wishers from India and abroad. *Tilak-Maharaj-Ki-Jai* and Long Live Tilak were the spontaneous slogans of people, who happened to accord him a warm welcome on his release. He declared in an assembly of thousands of people, 'I can only assure you all that separation for six long years could not diminish my love for you and that I am ready and willing to serve you in the same manner, in the same relation and in the same capacity as I did before although I pay perhaps have to modify the course a little.'

Mahatma Gandhi reminisced about Tilak thus: 'I admire Lokamanya like millions of his countrymen for his indomitable will, his vast learning, his love of country, and above all, the purity of his private life and great sacrifice. Of all the men of modern times, he captivated most the imagination of his people. He breathed into us the spirit of Swarajya. No one realised the evil of the existing system of government as Lokamanya did.'

Pandit Motilal Nehru opined, 'I was always stuck with his remarkable grasp of the intricacies of difficult situations and the clear judgement he brought to bear on the subjects under discussion. I must however confess that I never found myself on the same plane of thought with him.'

C. R. Das opined, 'Was Tilak a revolutionary? Was Lokamanya Bal Gangadhar Tilak, the idol of his people, the implacable foe of the bureaucracy, an anathema to it, the worshipper of Shivaji, the greatest Mahratta since Shivaji, a revolutionary? A passionate devotion to work, an energy that never wavered or halted, a supreme mastery of details, a grit, an utter callousness to, or disregard of, difficulties or dangers gave indeed to all his action a sharpness and an edge... He was by temperament incapable of the big jump, and a spirit that would take what it gets and fight for the rest cannot harbour that restlessness, that impatience, which is at once the habit and instrument of the born revolutionary. He was conservative by instinct, compromise was the essence of his politics, but he never lost sight of the ideal to which his whole being moved... Action gave him the impulse of his life and it bred in him the will to suffer... Tilak won and laid the beginning of a greater India reborn for self-fulfilment and the service of humanity.'

Rabindranath Tagore greatly praised the services of Tilak: 'He had more faith in Truth than in method, His ideal of the fulfilment of India's destiny was vast, and, therefore, it had ample room even for a dreamer of dreams, even for "music-maker". He knew that freedom had its diverse aspects, and, therefore, it could be truly reached if individuals had their full scope to use their special gifts for opening out paths that were diverse in their directions.'

C. Rajagopalachari stated, 'His plans remind one of Napoleon. He would be in his natural element in the fierce battle-field, amidst blood and ruin, and stand unmoved amidst physical pain and intensest suffering. On the other hand Lokamanya Tilak who spoke the doctrine of Force, really could not bear to see a fly hurt, and would break down if he saw any slaughter of human beings whatever might be the end in view... His philosophy did not urge asceticism for politicians but he himself was an ascetic and saint as well as politician.'

Pandit Madan Mohan Malaviya reminisced about Tilak thus: 'Mr. Tilak made it clear so far back as the beginning of 1907 that self government on colonial lines sufficed for him as a thing to work for. That was his attitude when he started the Home Rule movement in 1915 and joined hands with Mrs. Annie Besant for its realisation. One may safely say that was his attitude to the last. The means by which he sought to bring about self-government on colonial lines was the creation of a vigorous, clamorous public opinion in India which would not be satisfied until it saw self-government established, and continued agitation in England to make the English people realise the wisdom and justice of helping to establish it.'

Annie Besant indeed had high opinion for him. 'He was a man filled with passionate and never weakening love for India, for whom every sacrifice for her was joy, every suffering was welcome. No physical bondage could bind that free spirit... In my own relations with him, I found him absolutely straight and loyal to his word.'

M.A. Jinnah opined, 'Mr. Tilak was a shrewd practical politician... [He] rendered yeoman services to the country and played a very important part in bringing about the Hindu-Moslem unity, which ultimately resulted in the Lucknow Pact in 1916. Subsequently he was one of the pioneers of the Home Rule League movement and established the Indian Home Rule League... He felt that we must work the constitution so far as it went and fight for more. He actually prepared a definite policy and programme of electioneering campaign and advised the people to be ready to see that our best representatives were returned to the various legislatures... He was a unique figure both in the political and social life of the country.'

T. Prakasam stated, 'It was Lokamanya Tilak that laid the real foundation of *Swarajya* in India at a time when the rest of the people, educated as well as uneducated, were asleep; that he fully foresaw the trend of events that

must follow the causes at work in full force in his day. His teachings and selfless work and devotion were based upon his undaunted courage, unbending patriotism and ungrudging suffering for the freedom of his country...' J. M. Sen Gupta stated that he was '...a dauntless soldier in freedom's battle... Living a life of solemn consecration, he endeavoured to create in the nation a resolute will to be free and a dauntless determination to face all difficulties and sufferings that a struggle for freedom brings in its train. Preeminently, a man of action, with a supreme capacity for splendid organisation, he taught by his life that it was by action more than anything else that the will of the people could be trained and strengthened.'

In an article published in the *Mahratta*, 'Tilak put forward cogent reason for the necessity of the foundation of the Indian Home Rule League. 'It was generally recognized that the time had positively come for an organization to be started for educating public opinion and agitating for Home Rule throughout the country. The Congress was the body which naturally possessed the greatest authority for undertaking such a work with responsibility. The scheme of self-government which the Congress is supposed to be intending to hatch, served as a plausible excuse for most of the moderates to negative a definite proposal to establish a Home Rule League. But the Congress, it is generally recognized, is too unwieldy to be easily moved to prepare a scheme for self-government and actively work for its practical success. The spade work has got to be done by someone. It can afford to wait no longer. The League may be regarded as a pioneer movement and is not intended in any sense to be an exclusive movement.'

Tilak's speeches amongst the masses of western and central regions of India had direct and homely appeal which made him a hero of the people. His name became a household and this kind of popularity earned him the epithet of *Lokamanya*-revered by the people. He became to

be liked, praised rather worshipped like a god. Whenever he happened to tour, he was accorded a right royal reception. He, on his part, earned their love and affection and appealed to them to imbibe the virtues of fearlessness, sacrifice of any kind and patriotism and advised them to hold out the national hero Shivaji as their model.

In a meeting Tilak happened to address at Poena he stated, 'The British just want you to supply soldiers whom they want for the war. They tell us a calamity is hanging over India. What is that to us? Why should we come forward to protect that India in which we have no rights, in which we are treated like slaves?... The bureaucracy has overrun the whole nation; and we are not prepared to become soldiers in order to increase the power of these men. What are we to tell our men? Join the army to strengthen the *Zulm* of those English people?'

On the occasion of Shivaji Coronation Festival Tilak presided over a lecture on conscription. In his speech, he called the army as mercenary one which consisted of foreigners ready to shoot the people without compunction.

At another occasion Tilak observed, 'History and reason are against the difficulties created by the bureaucracy, and we must triumph in the end. Be prepared to say that you are a Home Ruler. Say that you must have and I dare say when you are ready you will get it. There is nothing anarchical in this demand... Home Rule is the only remedy. Insist on your rights. India is your own house.'

Tilak defined *Swarajya* during the course of his speech delivered at Belgaum on 1st May 1916. 'What is *Swarajya*? Many have a misconception about this. Some do not want it. Thus there are many kinds of people. The idea of *Swarajya* is an old one. Of course when *Swarajya* is spoken of it shows that there is some kind of rule opposed to *swa*, i.e. ours and that his idea originates at that time. This is plain. When such a condition arrives, it begins to

be thought that there should be *Swarajya*, and men make exertions for that purpose. You are at present in that sort of condition. Those who are ruling over you, do not belong to your religion, race or even country. The question whether this rule of the English Government is good or bad is one thing. The question of 'one's own and alien' is quite another. Do not confuse the two at the outset.'

For the first time after 1907, extremists happened to attend the session of the Indian National Congress at Lucknow. It was a significant phenomenon to note when 'A Home Rule Special' carried Tilak and the members of his party to the Lucknow Congress in 1916 and when they received unique ovations all along the way. At Lucknow, their reception all over was proverbial in manner and style. It was indeed a royal reception. The tyres of his car were cut in order to force Reception Committee to put him in a carriage which was unhorsed and dragged through the main bazars and streets of the town and the wild acclamation of a huge procession. So far so when he arrived at the pandal of the Congress, he was virtually carried on shoulders by his numerous followers and admirers. His speech, which was fairly comprehensive and effective in contents touching upon various crucial political facts of the time, was greeted with deafening cheers.

In supporting the resolution on self-government at the Lucknow Congress, Tilak severely criticised the bureaucracy in India and put forward demand for self government. 'We have to get these rights from powerful bureaucracy, an unwilling bureaucracy, naturally, unwilling because the bureaucracy now feels that these rights, these privileges, this authority, will pass out of their hands. I would feel the same if I were in that position, and I am not going to blame the bureaucracy for entertaining that natural feeling. But whatever the character of that feeling may be it is a feeling which we have to combat against; it is a feeling that is not conducive to the growth of self-government in this country.

We have to fight against that feeling. When we have to fight against a third party it is a very important thing that we stand on this platform united, united in race, united in religion, united as regards all different shades of political creed. That is the most important event of the day.

Let us glance. As I said, ten years ago when Dadabhai Naoroji declared that *Swaraj* should be our goal: its name was *Swaraj*. Later on it came to be known as self-government or constitutional reform; and we nationalists style it Home Rule. It is all the same, in three different names. It is said that as there is objection raised that *Swaraj* has a bad odour in India and Home Rule has a bad odour in England we ought to call it constitutional reform. I don't care to call it by any name. I don't care for any name. If you style it as A.B.C. reform scheme or X.Y.Z. reform scheme, I shall be equally content; I don't mind for the name, but I believe we have. But I believe you have hardly realised the importance and character of that scheme of reform. Let me tell you that it is far more liberal than the Irish Home Rule Bill, and then you can understand what possibilities it carries with it. It will not be complete Home Rule but more than a beginning of it. It may not be complete self-government but it is a far better than local self-government. It may not be *Swaraj* in the widest sense of the word, but is far better than *Swadeshi* and boycott. It is in fact a synthesis of all the Congress resolutions passed during the last 30 years, -a synthesis that will help us on to proceed, to work in a definite, in a certain responsible manner.'

In a Home Rule conference held at the Aminabad High School, Lucknow on 30 December 1916, Tilak gave vent to his feelings about the functions of bureaucracy, concept of liberty and on the need of Home Rule for India." "The fight at present is a triangular fight you have to wrest the whole Self-Government from out of the hands of a powerful bureaucracy. This body has already commenced to work in order to retain power in its own hands. It is but natural. You

would do the same thing yourself if you were in possession. Possession nine points of law. Bureaucracy is in possession of power and why should it part with it? Rights cannot be obtained by yearly resolutions. There are difficulties in the way of carrying out these resolutions, but these difficulties must strengthen us in our beliefs and in our actions.

‘We now want liberty. Similarly, we educate our children and expect them to take our position later on in life. So is the case with Englishmen. They have united us, they have educated us and they must expect us to take the position we are fit for. History and reason are against the difficulties created by the bureaucracy and we must triumph in the end. The only thing that comes in our way is that we are not yet prepared. No shilly, shallying will do. Be prepared to say that you are Home Ruler. Say that you must have it and I dare say when you are ready you will get work for it?’

‘Home Rule is the synthesis of all Congress resolutions. Home Rule is the only remedy. Insist on your rights. India is your own house. Is it not? Then why not manage it yourself? Our domestic affairs must be in our own hands. We do not want separation from England.’

The Lucknow Congress in 1916 led to the unity of Tilak and his associates on one side and the moderates on the other. Besides the Congress and the Muslim League jointly sponsored resolutions which had full support of the cause of self-government. In fact the agreed resolutions aimed at the establishment of provincial autonomy, the provision of election of about four-fifths of the members of central and provincial legislatures, the introduction, of the element of responsibility in not less than half members of executive and foreign affairs in the hand of the central government, and last but not the least, the grant of Dominion Status for India. Over the Muslim representation, it was agreed that they should have separate electorates. While in the centre, their representation was to be one-third, in the provincial

level, they should have 50 per cent in Bengal, 25 per cent in Bihar and Orissa, 33.1/3 per cent in Bombay, 30 per cent in U. P., 15 per cent in C.P. and 15 per cent in Madras.'

With this kind of understanding between the Hindus and Muslims, and moderates, and extremists, the tempo of the Home Rule Movement was greatly exhilarated. The *Kesari* observed, 'Friday 29th December, 1916 is a day in India British relations worthy to be written with golden letters. On that day on the banks of the sacred river Gomati the standard of Indian *swaraj* was unfurled. The resolution of *swaraj* passed on that day was an act of historic importance, the aspirations of India were crowned on that day, so I speak, and all her subjects came there to pay their homage to Mother India. Case distinctions, differences of opinion, personal jealousies and everything that was gross and went to destroy the unity of the nation was finally drowned in the waters of the Gomati, and India assumed a new sacred form'.

At a very well attended meeting of the citizens of Kanpur on January 1, 1917, Bal Gangadhar Tilak spoke on Home Rule for India as follows: 'Gentlemen: It is extremely unfortunate that I am not addressing you in your mother-tongue Hindi which claims to be the *lingua franca* of India. I am sorry for it the more when I see the large crowd that have assembled here to welcome me on this occasion. I am sorry because I am one of those who hold that Hindi should be the *lingua franca* of India in future. But unfortunately, not being able to speak in Hindi, I have thought it fit to address you in English on this occasion, a few words which relate to a subject in which all of us were engaged at Lucknow. Gentlemen, you must have all probably heard that the Lucknow Congress was a memorable Congress, a momentous step being taken therein as regards Home Rule. You will be able to learn that after 30 years of deliberation we have at last come to the conclusion that nothing will save us except Home Rule. As I have said in the Congress,

it is a synthesis of all the resolutions hitherto passed to the Congress during the last 30 years. Whatever side you may look at the question from, you will be convinced that the freedom which Home Rule implies is necessary for the regeneration of this country.

‘Every thing in the moral, material or intellectual sphere of this nation depends upon the freedom which at present we are deprived of. You cannot do anything which in your opinion is calculated to raise your status to that of a civilized nation according to the modern standard. It has been pointed out by more eloquent speakers than myself and men who are entitled to your respect and veneration for more than I am. I say it has been pointed out to me several times that unless we get a part of the freedom for which we are trying, for a part of the power which rests in the hands of the bureaucracy at present, it is impossible for us to attain that position to which we are entitled as a birthright. If you see what is your position at present, if you look around, you will see that you are crippled in every respect. Whether you like the question of industry, whether you take the question of education, or any other question, everywhere there is a stumbling block in your way, so that you have no the power to carry out what you wish. We must be prepared to face this one important question before we can hope to make any progress progress that is worth the name. Many of the objections to the attainment of Home Rule have already been answered in the Congress and out of the Congress. I would only take one or two of them because I am afraid that speaking in English I shall not be understood by this large audience and, secondly, because the time at our command is very short. You, who are assembled here to listen to me and to do honour to me well, I think agree that in honouring me you are honouring the cause of Home Rule. The very fact of your presence here to hear a speaker who has devoted some to this question shows that you are all interested in that important question. They say

that there is no public opinion in India in favour of Home Rule. This is a proposition which if our opponents were here will find contradicted by the presence of you all. I do not think that you have come here to respect my person but I think you have come here to respect the cause of Home Rule; and a very large gathering like this is a splendid refutation of the objection that we are not prepared for Home Rule, that we are unable to exercise influence over the masses in this country, that we can take no interest in it and that it will take several decades of years if not hundreds of years according to our opponents to render us fit for Home Rule.

"This meeting is in itself, as I said, a refutation of the charges that are brought against us. Another objection that is raised is that we Hindus never enjoyed Home Rule. Nothing can be more incorrect more erroneous and false, I may say, than a statement like this. Many of you in Northern India enjoyed Home Rule in ancient days. The Hindu polity which is included in the King's duties in the *Manusmriti* text lays down a kind of social organization which is known as *Chatur Varna*. Many of you now believe that *Chatur Varna* consists merely of different castes. That divide us at present. No one thinks of the duties belonging to these castes. A Kshatriya will not take food with Brahmin and a Brahmin will not take food with a Vaishya and a Vaishya will not take food with a Sudra. It was not so, let me point out, in the days of Manu and *Bhagvatgita*. *Bhagvatgita* expressly states that this division was not by birth but by the quality and by the profession which were necessary to maintain the whole society in those days. The Kshatriyas defended the dominion and defended the people against foreign aggression and against internal interruptions. Where are those? The whole of that class is gone off and their duties devolve upon the British who have taken charge of the duties of Kshatriyas.

"Take again commerce. You think this is a commercial town. There are many labourers but you find that the country is exploited for the benefit not of India but of other nations. Raw products are exported and refined products are brought in to the sacrifice of several industries for which India was famous in ancient times. See the Vaishya class—that too is now being dominated by the British people or British merchants. Take the Brahmins. I am a Brahmin. We boasted that we were the intellectual heads of the community—we were the brain in fact—but that brain is now rendered so dull that we have but to import into this country foreign philosophy at the cost of our ancient learning in every department of life. What I consider is that *Chatur Varna* divides the whole society into so many departments of life and every one of these departments you have been a loser every year every decade.

'I want you now to recognize this fact and to try for gaining the position which we occupied in our own society. We have been deprived of volunteering, we have been deprived of the right to the higher grades in service. The men remain, but the duties are gone and all your feeling at present is that I am a Kshatriya and you are a Brahmin and that he is a Sudra. All have lost their titles. I am not partial to one or other. I want you to realise the fact that although you may claim the blood of Kshatriya although you may claim the blood of a Brahmin, you do not claim that polity, those qualifications which the Sudras are enjoying which should have been yours at this moment. Now one aspect of Home Rule is to encourage you to acquire the freedom which you enjoyed in these various departments of life and to come up to that standard by the co-operation of and under the sovereignty of the British rule.

"This result is not to be achieved by any unlawful and unconstitutional mean; but I am sure by a desire and interest to raise your status to achieve this goal by means of the sympathy of the British people and by remaining

a permanent part of the Empire. But this part is of two kinds. In a household, servants from part of a household and children from part of a household. We went to occupy the part of children and not to servants—not a dead part but an equal part in that greatest Empire which the world has seen. We are quite willing to remain a part but not a dead part which will be a burden to the Empire but a living member, and a living member is expected to develop all the qualities which you find in the department of social life. It is with this view, gentlemen, that the Home Rule agitation had been started to make you masters in your house and not servants, this is the real sense of that situation which every one is bound morally and intellectually to attain.

‘Home Rule is nothing else, but to be masters of your houses. Have you ever thought of such a simple question, what am I in my house—am I a dependent or am I master? And if India is your house I want to ask you, gentlemen, whether there can be any ground or reason to tell you that you ought not to be masters so far as your domestic affairs are concerned. When an Englishman has been deprived of his right he will not be content unless he gets back his rights. Why should you lag behind, why should you not in the name of religion, in the name of polity, in the name of the polity which was cultivated in the past to the largest extent the history of the world has yet produced in the name of that philosophy that is religious, I appeal to you to awaken to your position and do your birth-right—I mean the right of managing your own affairs in your own home. If you do not do it who will do it for you? Do not be hypnotised. You are fit for it, only you have not seen it. You can get your object by your own efforts, by your own action, and this is the self-realization that I want you to feel. If you once realise that you are the master of your domestic affairs as other men are, as in the colonies and as men in the other parts are, I dare say nothing can stand between you and your object to attain it. It all depends upon your efforts. In

Lucknow and Kanpur you will find better men very soon addressing you on this subject, and if I can prepare the ground for the noble workers that are to come hereafter, I shall not have spoken in vain today. It is a thing which you must look to now.

‘Give up apathy. You are as good men as members of any other community in the world. You have hands and feet and you know what has been said in one of Shakespeare’s dramas. We are certainly better than Japanese and yet Japan has attained what you seem hopeless to attain and are indifferent to aspire to get. Your fault lies not in the want of the will. You have not cultivated that will which you ought to have done. Will-power makes it as strong as you can and the material world round you cannot drive you from attaining the object which you will attain. You must make up that will and if that is made up by every community there is a proverb in my part that the divine power resides in five persons. Instead of 5 let me now change that 5 into 500 million; and if you realize the fact that you have a certain object to get that, you must attain to a particular stage to which you are entitled as birth-right. You must say that this will so strengthened, can resist the forces that are arrayed against you. It is the will you have not been thinking over. You do not devote to it one moment of your life, one moment during the day. A Brahmin is, for instance, enjoined in the *Shastras* to perform his prayers once in the morning and once in the evening. What is that prayer? It is the cultivation of the will. Now let your prayer be, ‘I will try to have my birth-right’.

‘Have that prayer every morning and evening. Do not forget it during all the work or business that you do during the day. If there are temptations in your way repeat that prayer in the morning and evening. Prayer has such a power as to surmount all obstacles; that is the effect of prayer. It is no use praying merely for nothing. God ~~does not~~ want prayer for himself, God does not need it. God ~~does not~~ want

any praise from you it is all useless. Realise that fact. What is the good of praying without any object. God has created you, God knows how to conduct his own creation. Do you mean to say that by your praying you cannot change the course of events of *Karma*? Do pray morning and evening for Home Rule and I dare say that within a year or two you can attain your object.

‘Thanking you for your reception I close my remarks on the subject; and if any of you have not understood me because I have spoken in English, then some one of the gentlemen on the platform will undertake to repeat that for you, and I ask your pardon not to have been able to address you in your own words’.

At Yeotmal, Tilak clarified a few significant points about Home Rule Movement. ‘We tell the Government that we are no longer minors, nor are we lunatics, and we are able and competent to look after our affairs, our “home” and we will rule the “home”; we have got a right to say that we want this agent or that and we will guide the “Home policy”. This demand for “Home Rule” is not a new one; Congress and the other older and younger institutions in the country have been demanding it.

‘Our opponents say we are not fit; but that is not true. Every one who is an adult and not a lunatic is fit to manage his house. We may commit mistakes in the beginning; but who is so perfect as to be beyond human feelings? Even great men err. We want the right to commit mistakes also; we will commit mistakes and ourselves rectify them even the great *Avatars* commit mistakes. The Government does not lay down any standard of fitness; if they will lay down any, we will try to attain that standard. Government are not at all definite; those who ask us to be first fit and then demand *Swaraj* have no mind to give it to us at all. It is as good as to ask a boy to learn swimming, and then to go into the river. You cannot separate Home Rule from us, as you cannot separate the quality of “heat” from fire; both

are inseparably bound up; let your ideas be clear, let your motives be honest; let your efforts be strictly constitutional, and I am sure your efforts are bound to be crowned with success; never despair, be hold and fearless and be sure that God is with you. Remember "God helps those who help themselves."

In a largely attended public meeting at Akola in January 1917, Tilak expressed his feelings about the Home Rule for India thus. "The ideal of Home Rule has passed through trials and ordeals, and stands to-day perfectly vindicated as both loyal and practical. It is now conclusively proved that the gain of the one is the gain of both, and in India's Self-Government lies the future stability and safety of the British Empire. Since Home Rule became an ideal vindicated in courts of law as legal and loyal, it had to be proved by arguments that India stood in immediate need of it, that India should demand it, that the demand was justified by defects in the method of the working of the existing mode of Government which could not be remedied except by Self-Government and that it was also proved that we were fit for receiving and handling the rights of *Swaraj* when they came to us.

"Self-Government as I told you, means Representative Government in which the wishes of the people will be respected and acted upon and not disregarded, as now, in the interests of a small minority of civil servants. Let there be a Viceroy and let him be an Englishman if you like, but let him act according to the advice of the representatives of the people. Let our money be spent upon us and with our consent. Let public servants be really servants of the public and not their masters as they at present are.

"None will be more unlucky and unfortunate than yourselves if you lag behind at this critical moment. You have the ideal of *Swaraj*, you have the legal methods to work for it, and you know what the ideal means. The Almighty

helps you in His inscrutable Divine ways by offering a unique opportunity. Now it is for you to say, whether you will answer by vigorous efforts or sit silent and let the opportunity slip through your fingers. By allowing this golden opportunity escape, you are incurring the just blame, of those that will be borne hereafter. Your daughters and sons will be ashamed of you and future generations will curse you. Take courage, therefore, and work now. Strike the iron whilst it is hot and yours shall be glory of success.'

The following is the text of the speech delivered by Bal Gangadhar Tilak on 7th October 1917 in the compound of the Home Rule League, Allahabad under the presidentship of Mrs. Annie Besant. 'Everyone knew what Home Rule meant. Home Rule was nothing but to have the management of their home in their own hands. That was simplest definition that could be given of the word. There was absolutely nothing to say why they wanted Home Rule. It was their birth-right. Some people had been managing their affairs for them now, and they wanted that management should be transferred to their hands. They were entitled to that right and the burden of proving that they were not entitled to it lay on the other party. Home Rule was not a new expression. It was an expression that had a definite meaning and we should not misunderstand it. All that they asked for was not a change in their rulers of this country and the administrators who had been appointed or selected under the Government of India Act. His view was entirely different. Those were not the rulers *in the strict sense of the word. They represented the King* but they were not the King. The Indians also represented the King because they were his subjects just as much as those officers. So in the matter of representing the King the Indians and those officials stood on equal basis. What then was there more in the position of these officers which made them say that they were the real rulers? That was that certain powers had been given to them—they had not usurped those powers—under a Statute

of Parliament. If another Statute of Parliament repealing that Statute and giving the Indians those powers was passed the Indians would be what those officers were at present. That was Home Rule and nothing more. There would be no change in the Emperor, absolutely no change in the relations of India with England or in the relations of India with the Empire as a whole. What was there to complain of in this except that some men would lose their trade? If the power was transferred from one man to another the man to whom it was transferred would gain and the other would lose and if that other man would be angry it was natural. He did not think that any English politician would be deterred by such things for a moment from doing his duties.

"Ten or fifteen years ago to talk of Home Rule was sedition and people were afraid, he himself was afraid, of talking about Home Rule. But now it was contended both by the judiciary and the executive that Home Rule was a proper ambition for a dependency to entertain. Ten years of fighting was thus required to remove this prejudice against Home Rule, and now they could talk about it as a legitimate aspiration. The Viceroy, the Premier, the British-nation and even the bureaucracy now agreed with them. Now what remained? They said that it was a very good ambition for a dependency; but there was time for it. They said that it would take centuries to attain it, and instances were cited of a number of colonies which attained self-government in 50 or 60 years. His reply to it was this. The colonies, it was true, had attained self-government in 50 or 60 years, but Indians were being ruled for 100 years, and they had not yet attained self-government. There must be a time limit fixed by the bureaucracy. The bureaucracy said that it was not in sight at present; he would say that this was an entirely selfish argument. What was it that was far from attaining the goal within a few years after the war when the empire would be reconstructed? At present India was nothing but a stone in the neck of the empire. They knew on what principle

the bureaucracy governed India for the last 100 years. They were a self-governing nation before. They knew how to organise an army, they knew how to dispense justice, they had laws, regulations, etc. All those have been swept away and now the bureaucracy said that they knew nothing about them. Who was responsible for that? Not the Indians. When they came here their first care was—he gave credit to them for it—to reduce the disorders prevailing then. How was it done? Firstly, by disarming them. Next all the principal posts in the administration were monopolised by them. Next there was a check to scientific progress, and industries gradually disappeared. But, they said, they restored peace. That was true, but peace was not everything. It was an introductory condition to further development. They had restored peace, they had given railways, telegraphs and other things. All credit to the bureaucrats for these things but he could not give credit to them for doing anything which would develop their national instinct. They had not done anything which would enable them to stand on their legs. The result was when, in the name of the empire they were asked to take up arms and fight the enemy they found that so few men volunteered. What was it that made them incapable of assisting the Empire to the extent that they wished to do? It was the system of administration followed by the bureaucracy. They had governed them in such a way that unless radical improvement was made in the system of administration, the Empire would gain no material strength from this country. It was this thought that had actuated the best English statesmen to come forward and say that the system of administration in India must be revised after the war.

‘From the time of Mr. Dadabhai Naoroji up to now they had been crying that they had been deprived of the powers of administration and they should be restored to them. Now the British democracy had clearly seen that there was much force in their cry of reform and they were

willing to hear their cry. Now the question was whether the bureaucracy should have a say. There was a judge and he had given notice that he was coming here and would hear what the Indians would have to say. Therefore they must press their demand more strongly than their opponents. That was their duty at present. They had to convince him that all arguments used against them were due to prejudice. The great work before them at present was to educate the people to realize what Home Rule was. He would impress on them the supreme necessity of doing their best for getting Home Rule. They must wake up. If they made strenuous efforts then within a year or two they would realize, if not all, at least a part of their wishes. They did not want Home Rule at once; but they wanted a real beginning, and not a shadow beginning. When Mr. Montagu came here he would speak to their leaders about their demand and he wanted that they should have the solid support of the country behind them. If that was done Mr. Montagu would carry their message to the British people and effectively support it with the authority of his office.'

It is quite clear from Tilak's ideology that he was determined to take full advantage of the government's involvement and helplessness in the war. He was not to wait the conclusion of the war. So far so he sent Joseph Baptista to London on 14 July 1917 with the advice to propagate the ideal of Home Rule on the basis of the Congress-League Scheme.

Tilak travelled over two thousand miles and collected about fifty thousand rupees. With his weak ailing physique, he delivered as many as thirty-two speeches which were largely attended. He once remarked, 'People cannot possibly realise that I feel so weak. When the moment comes I make a speech. But the body is all the while under the strain. The speech over, I return from the crowd and sleep over my fatigue. Only my will to live sustains me.'

‘Home Rule is my birth-right... There are higher powers that rule the destiny of things and it may be the will of Providence that the cause I represent may prosper more by my suffering than by my remaining free.’

For the success of his Home Rule Movement, Tilak was fairly mobile. His movements tinged with propaganda work for the movement covered a huge area in north India. The terrible unrest in the Punjab engendered by the anti-government activities by the workers of the Ghadr party had made the whole administrative machinery much engaged in establishing law and order. At this point of time, Tilak intended to enter the Punjab for the political propaganda work amongst the people, and when the government got the information that Tilak had planned to inaugurate a branch of the Home Rule League in the Punjab, it at once issued a notice to him under the Defence of India Consolidation Rules 1916 prohibiting his entry in the Punjab. Similarly the police chief of Delhi prohibited the entry of Tilak in the city.

The personnel sufferings of Tilak during the long drawn political battle against the *Raj* were phenomenal. He had to face prosecution and hardships in the jail. ‘He made life in jail for the political leaders in subject India an honourable and unavoidable service. His sufferings made blunt the edge of the hardships of jail life of political prisoners in India, and he served as the leader of sappers and miners in the life of the national army of *swaraj*. By his ceaseless actions, his fearlessness, his selflessness, he infused courage into a generation that came forward to follow him, to support him, and to die for the cause of the motherland.’

Undoubtedly Tilak was a born rebel and his impatience with the prevailing structure of foreign rule made him raise the banner of revolt during his life. His relations with the revolutionaries was cordial although he did not participate in their violent activities. He opined that an armed revolt was also constitutional provided it was result-oriented.

He had much sympathy with Senapati Bapat, Wasudeo Chapekar and other leaders engaged in revolutionary activities. He in fact strove hard to galvanise the Congress into a militant constitutional movement.

By his incessant linkage with the hectic political activities, Tilak had endeared himself so much amongst the people that he was called by them Lokamanya i.e. adored by the people. Whereas Valentine Chirol described him as the 'Father of Indian Unrest', C. Vijayaraghavachariar called him, 'a great son of India whose manhood was a life of selfless suffering in our country's cause in a spirit of dedication rarely surpassed in the annals of national struggle for freedom.'

Tilak used his paper, the *Kesari* as the best organ for the propaganda of his political creed. Through his writings in it, he could influence a major portion of the population in the western region. He apprised the people of their fundamental rights and enjoined on them to prepare themselves for the grim battle of freedom. He wrote that the only way to settle the Indian problem was a proclamation by the King of England declaring that the ultimate object of the British government was to grant *swaraj* to the people of India and that the first fundamental step by the government should be to grant it after the war.

Time and again, Tilak told the British bureaucracy that his countrymen were 'trying in India as the Irish Home rulers have been doing in Ireland, for a reform of the system of administration. His main argument centred round the idea that if Ireland could put a fight for their demand of Home Rule, why could a similar demand be not put forward by Indians. In this regard, he wished to get a parliamentary bill moved so that Indians could manage their domestic affairs in a better shape. By doing so, he did not wish to sever ties with the British Empire, but he propagated *swaraj* within the Empire.

The government watched the political propaganda made by Tilak amongst the masses with doubt and suspicion. Plans were made to muzzle his Home Rule propaganda. So in July 1916 a case was instituted against Tilak for certain seditious speeches which he had delivered during his tour of various regions. On 22 July 1916, an order was passed by the District Magistrate, Poona under sections 108 and 112 Criminal Procedure Code requiring Tilak to show cause why he should not be ordered to execute a bond for the sum of Rs. 20,000/- with two sureties each in a sum of Rs. 10,000/- to be of good behaviour for a period of one year. In pursuance of this order, Tilak was bound down on 12 August 1916 for a period of one year and was to enter into a bond in a sum of Rs. 20,000/ with two securities, each in a sum of Rs. 10,000/- in consequence of certain speeches delivered by him on the 1st, 21st May and 1st June 1916. On appeal by Tilak, the High Court Bombay reversed the order of the District Magistrate, Poona ordering Tilak to execute a bond to be of good behaviour. These pinpricks did not cripple the political activities of Tilak, rather he continued his work with great enthusiasm and patriotic fervour

The Problem in Champaran

The history of the indigo plantation in Bihar may be traced to the years 1782-85 when Francois Grand was the Collector of Tirhut. He greatly encouraged the planters by advising them on new methods of plantation. The cultivation was extended to Champaran after about three decades and Colonel Hickey became pioneer in this regard in the regions of Bara, Rajpur and Turkaulia. The indigo plantation flourished so much in this region, that it soon had edge over the sugar factories. By the middle of the nineteenth century, new roads were built in the area where factories were established.

A few systems of cultivation of land were in operation in this region. These systems were known as *asamiwar*, *zerait*, *tinkathia*, *khuski* and *kurtauli*. The *zerait* indigo land was cultivated by the factory and its all expenses were borne by it. It of course sought the help of the hired labour. The *asamiwar* system was the cultivation through tenants of the factory. Thus the former system cultivated about one-third of the land and the latter about two-thirds. Undoubtedly both these systems of plantations proved profitable for the factory-owners who maintained their ploughs and bullocks.

The tenants under the *asamiwar* system functioned under a contract, executed between them and the factory. The ryot received advance from the factory and were bound to grow indigo under the contract. He was to pay

damages, if he did not abide by rules of the contract. The seed was—supplied by the factory. The ryot was paid for the services at fixed rates. The cultivators, under this system, had the contract for a number of years, sometime even from twenty to thirty years. They were required to grow indigo on three *kathas* per bigha of their holdings. This was called the *tinkathia* system which was often a bone of contention between the planters and the ryots. The *khuski* system rarely operated in Champaran. It was a system of cultivation by means of agreements with outside ryots. They had extensive tenure-holding rights. The *kuriauli* system of cultivation made the ryot to mortgage his entire holding even beyond his own life-time and the 'ryot sold himself body and soul into hopeless servitude.'

In Champaran were the Europeans, settled in the north- western part of the district. The Bettiah Raj gave lands on perpetual lease to them for the establishment of their factories. The area of this land extended over 2,000 square miles. In fact, the Bettiah Raj was heavily in debt on account of the extravagance of the ruler.

In the last decade of the nineteenth century, there were about twenty-one factories employing more than thirty thousand Indian labourers in Champaran. The area under indigo cultivation was 95,970 acres.

With the passage of time, the relations between the planters and the tenants worsened on account of numerous unnecessary physical and financial exactions on the part of planters. Proposals at various quarters were made for the appointment of a commission of inquiry which should suggest ways and means to just and agreeable solution to the growing problem. But nothing tangible was done as the bureaucratic machinery opined that any finding of the commission might worsen even the existing situation. As a result, for sometime no effort was made to straighten the economic condition of the tenants which were suffering under the cruel treatment of the British planters.

However, at this point of time, Sir Ashley Eden, the Lt. Governor of Bengal took the initiative to do something in this regard. During his younger days, he had been a magistrate in this region, and was therefore well-acquainted with the problems of planters *versus* tenants. He now, made a few suggestions to the planters that the *asamiwar* system was not useful for the interests of the tenants and the price of indigo might be raised. He also opined that the good relationship between planters and tenants could be established, if indigo was cultivated on purely business principles. He also recommended that the planters should show more consideration to their tenants and should not exact forced labour from them.

This kind of attitude of Ashley Eden was seriously viewed by the planters and they thought that the Lt. Governor had soft corner for the interests of the tenants. They, therefore, united themselves and formed the Bihar Planters' Association in order to resist any drastic reforms in favour of tenants. They, however, enhanced the price of indigo from Rs. 9 to Rs. 10-5-0 per acre.

By 1900 there was acute difficulty on account of rise in prices of foodgrains and the consequent demand for land in Bihar. The price of the natural dye fell rapidly from Rs. 232 per factory maund of Rs. 130 in 1912-13. The area under indigo cultivation naturally decreased and the history of the industry merged into the more general history of the relations between the landlords and the tenants. In 1903, the hated system of *tinkathia* prevailed. In the non-indigo concerns the ryots paid to their immediate landlords various *abwabs* with a general incidence of about Rs. 3 per bigha. The indigo concerns, therefore, began to decrease the area under cultivation and to levy compensation from the tenants for releasing them from the obligation of cultivation of indigo under the *tinkathia* system. This coincided with the gradual awakening of the tenantry to the doubtful legality of these additional considerations. Complaints were received

but led to no improvement. The bad feeling increased, until widespread disturbances broke out in 1907. The most noteworthy event of this year was the murder of Mr. Bloomfield, manager of Telhara concern, who had refused to sanction the transfer of holdings.

In the sub-division of Bettiah friction between planters and the Muslim ryots began to grow day by day. The ryots opined that the indigo plantation was unprofitable for them, and on this plea they refused to grow indigo. Consequently, their convictions were obtained which, in numerous cases, were reversed by the order of the court. This kind of agitational approach was led by their leader Shaikh Gulab whose followers raised a fund to contest against the planters. The violent action of the ryots became glaring phenomenon in this region on account of their perpetual disagreement with the system and policy adopted by planters. So far so there was violent acts in Kundia, Parsa, Mallahia and Bairia regions. About two hundred fifty were convicted of acts of violence. Military police was rushed for the protection of planters. Besides the additional punitive police was posted with heavy fines on the local inhabitants.

Under these circumstances, a number of petitions were sent to the Lieutenant-Governor complaining of *abwab* and several other matters having deep linking with the economic and social life of a common ryot. With the passage of time, when there was no proper solution of this problem, it became more acute by the commencement of the first global war.

The Stain of Indigo

Champaran is the land of King Janaka. Just as it abounds in mango groves, so used it to be full of indigo plantations until the year 1917. The Champaran tenant was bound by law to plant three out of every twenty parts of his land with indigo for his landlord. This system was known as the *tinkathis* system, as three *kathos* out of twenty (which make one acre) had to be planted with indigo.

I must confess that I did not then know even the name much less the geographical position, of Champaran, and I had hardly any notion of indigo plantations. I had seen packets of indigo, but little dreamed that it was grown and manufactured in Champaran at great hardship to thousands of agriculturists.

Rajkumar Shukla was one of the agriculturists who had been under this harrow, and he was filled with a passion to wash away the stain of indigo for the thousands who were suffering as he had suffered.

This man caught hold of me at Lucknow, where I had gone for the Congress of 1916. "Vakil Babu will tell you everything about our distress," he said, and urged me to go to Champaran. 'Vakil Babu' was none other than Babu Brajkishore Prasad, who became my esteemed co-worker in Champaran, and who is the soul of public work in Bihar. Rajkumar Shukla brought him to my tent. He was dressed in a black alpaca *achkan* and trousers. Brajkishore Babu failed then to make an impression on me. I took it that he must be some vakil exploiting the simple agriculturists. Having heard from him something of Champaran, I replied as was my wont: I can give any opinion without seeing the condition with my own eyes. You will please move the resolution in the Congress, but leave me free for the present. Rajkumar Shukla of course wanted some help from the Congress. Babu Brajkishore Prasad moved the resolution, expressing sympathy for the people of Champaran, and it was unanimously passed

Rajkumar Shukla was glad, but far from satisfied. He wanted me personally to visit Champaran and witness the miseries of the ryots there. I told him that I would include Champaran in the tour which I had contemplated and give it a day or two. 'One day will be enough,' said he, 'and you will see things with your own eyes.'

From Lucknow I went to Cawnpore. Rajkumar Shukla followed me there. 'Champaran is very near here. Please give

a day,' he insisted. 'Pray excuse me this time. But I promise that I will come,' said I, further committing myself.

I returned to the Ashram. The ubiquitous Rajkumar was there too. 'Pray fix the day now,' he said 'Well,' said I, 'I have to be in Calcutta on such and such a date, come and meet me then, and take me from there.' I did not know where I was to go, what to do, what things to see.

Before I reached Bhupen Babu's place in Calcutta, Rajkumar Shukla had gone and established himself there. Thus this ignorant, unsophisticated but resolute agriculturist captured me.

So early in 1917, we left Calcutta for Champaran, look just like fellow rustics. I did not even know the train. He took me to it, and we travelled together, reaching Patna in the morning.

This was my first visit to Patna. I had no friend or acquaintance with whom I could think of putting up. I had an idea that Rajkumar Shukla, simple agriculturist as he was, must have some influence in Patna. I had come to know him a little more on the journey, and on reaching Patna I had no illusions left concerning him. He was perfectly innocent of everything. The vakils that he had taken to be his friends were really nothing of the sort. Poor Rajkumar was more or less as a menial to them. Between such agriculturist clients and their vakils there is a gulf as wide as the Ganges in flood.

Rajkumar Shukla took me to Rajendra Babu's place in Patna. Rajendra Babu had gone to Puri or some other place, I now forget which. There were one or two servants at the bungalow who paid us no attention. I had with me something to eat. I wanted dates which my companion procured for me from the bazaar.

There was strict untouchability in Bihar. I might not draw water at the well whilst the servants were using it lest drops of water from my bucket might pollute them, the

servants not knowing to what caste I belonged. Rajkumar directed me to the indoor latrine, the servant promptly directed me to the out door one. All this was far from surprising or irritating to me, for I was inured to such things. The servants were doing the duty, which they thought Rajendra Babu would wish them to do.

These entertaining experiences enhanced my regard for Rajkumar Shukla, if they also enabled me to know him better. I saw now that Rajkumar Shukla could not guide me, and that I must take the reins in my own hands.

The Gentle Bihari

I knew Maulana Mazharul Haq in London when he was studying for the bar, and when I met him at the Bombay Congress in 1917 the year in which he was President of the Muslim League, he had renewed the acquaintance, and extended me an invitation to stay with him whenever I happened to go to Patna. I bethought myself of this invitation and sent him a note indicating the purpose of my visit. He immediately came in his car, and pressed me to accept his hospitality. I thanked him and requested him to guide me to my destination by the first available train, the railway guide being useless to an utter stranger like me. He had a talk with Rajkumar Shukla and suggested that I should first go to Muzaffarpur. There was a train for that place the same evening, and he sent me off by it.

Principal Kripalani was then in Muzaffarpur. I had known of him ever since my visit to Hyderabad. Dr. Choithram has told me of his great sacrifice, of his simple life, and of the Ashram that Dr. Choithram was running out of funds provided by Prof Kripalani. He used to be a professor in the Government College, Muzaffarpur, and had just resigned the post when I went there. I had sent a telegram informing him of my arrival, and he met me at the station with a crowd of students, though the train reached there at midnight. He had no rooms of his own, and

was staying with Professor Malkani who therefore virtually became my host. It was an extraordinary thing in those days for a Government professor to harbour a man like me.

Professor Kripalani spoke to me about the desperate condition of Bihar, particularly of the Tirhut division and gave me an idea of the difficulty of my task. He had established very close contact with the Biharis, and had already spoken to them about the mission that took me to Bihar.

In the morning a small group of vakils called on me. I still remdmber Ramnavmi Prasad among them, as his earnestness specially appealed to me.

'It is not possible,' he said, 'for you to do the kind of work you have come for, if you stay here (meaning Prof Malkani's quarters). You must come and stay with one of us. Gaya Babu is a well-known vakil here. I have come on his behalf to invite you to stay with him. I confess we are all afraid of Government, but we shall render what help we can. Most of the things Rajkumar Shukla has told you are true. It is a pity our leaders are not here today. I have, however, wired to them both, Babu Brajkishore Prasad and Babu Rajendra Prasad. I expect them to arrive shortly, and they are sure to be able to give you all the information you want and help you considerably. Pray come over to Gaya Babu's place.'

This was a request that I could not resist, though I hesitated for fear of embarrassing Gaya Babu. But he put me at ease, and so I went over to stay with him. He and his people showered all their affection on me.

Brajkishore Babu now arrived form Darbhanga and Rajendra Babu from Puri. Brajkishore Babu was not the Babu Brajkishore Prasad I had met in Lucknow. He impressed me this time with his humility, simplicity, goodness and extraordinary faith, so characteristic of the

Biharis, and my heart was joyous over it. The Bihar vakils' regard for him was an agreeable surprised to me.

Soon I left myself becoming bound to this circle of friends in lifelong friendship. Brajkishore Babu acquainted me with the facts of the case. He used to be in the habit of taking up the cases of the poor tenants. There were two such cases pending when I went there. When he won any such case, he consoled himself that he was doing something for these poor people. Not that he did not charge fees from these simple peasants. Lawyers labour under the belief that, if they do not charge fees, they will have no wherewithal to run their households, and will not be able to render effective help to the poor people. The figures of the fees they charged and the standard of a barrister's fees in Bengal and Bihar staggered me.

'We gave Rs 10,000 to so and so for this opinion,' I was told. Nothing less than four figures in any case.

The friends listened to my kindly reproach and did not misunderstand me.

'Having studied these cases,' said I, 'I have come to the conclusion that we should stop going to law courts. Taking such cases to the courts does little good. Where the ryots are so crushed and fear-stricken, law courts are useless. The real relief for them is to be free fear. We cannot sit still until we have driven *tinkaihia* out of Bihar. I had thought that I should be able to leave here in two days, but I now realize that the work might take even two years. I am prepared to give that time, if necessary. I am now feeling my ground, but I want your help.'

I found Brajkishore babu exceptionally coolheaded. 'We shall render all the help we can,' he said quietly, 'but pray tell us what kind of help you will need.' And thus we sat talking until midnight.

'I shall have little use for your legal knowledge,' I said to them. I want clerical assistance and help in

interpretation. It may be necessary to free imprisonment, but, much as I would love you to run that risk, you would go only so far as you feel yourselves capable of going. Even turning yourselves in clerks and giving up your profession for an indefinite period is no small thing. I find it difficult to understand the local dialect of Hindi, and I shall not be able to read papers written in Kaithi or Urdu. I shall want you to translate them for me. We cannot afford to pay for this work. It should all be done for love and out of a spirit of service.'

Brajkishore Babu understood this immediately, and he now cross-examined me and his Companions by turns. He tried to ascertain the implications of all that I had said how long their service would be needed, whether they might serve by turns and so on. Then he asked the vakils the capacity of their sacrifice.

Ultimately they gave me this assurance. 'Such and such a number of us will do whatever you may ask. Some of us will be with you for so much time as you may require. The idea of accommodating oneself to imprisonment is a novel thing for us. We will try to assimilate it.'

Face to Face with Ahimsa

My object was to inquire into the condition of the Champaran agriculturists and understand their grievances against the indigo planters. For this I should meet thousands of the ryots. But I deemed it essential, before starting on my inquiry to know the planters' side of the case and see the Commissioner of the Division, I sought and was granted appointments with both.

The Secretary of the Planters' Association told me plainly that I was an outsider and that I had no business to come between the planters and their tenants, but if I had any representation to make, I might submit it in writing. I politely told him that I did not regard myself as an outsider,

and that I had every right to inquire into the condition of the tenants if they desired me to do so.

The Commissioner, on whom I called, proceeded to bully me, and advised me forthwith to leave Tirhut.

I acquainted my co-workers with all this, and told them that there was a likelihood of Government stopping me from proceeding further, and that, if I might have to go to jail earlier than I had expected, and that, if I was to be arrested, it would be best that the arrest should take place in Motihari or if possible in Bettiah. It was advisable, therefore, that I should go to those places as early as possible.

Champaran is a district of the Tirhut division and Motihari is its headquarters. Rajkumar Shukla's place was in the vicinity of Bettiah, and the tenants belonging to the *kothis* in its neighbourhood were the poorest in the district. Rajkumar Shukla wanted me to see them and I was equally anxious to do so.

So I started with my co-workers for Motihari the same day. Babu Gorakh Prasad harboured us in his home, which became a caravanserai. It could hardly contain us all. The very same day we heard that about five miles from Motihari a tenant had been ill-treated. It was decided that, in company with Babu Dharanidhar Prasad, I should go and see him the next morning and we accordingly set off for the place on elephant's back. An elephant, by the way, is about as common in Champaran as a bullock-cart in Gujarat. We had scarcely gone half way when a messenger from the Police Superintendent overtook us and said that the latter had sent his compliments. I saw what lie meant. Having left Dharanidhar Babu to proceed to the original destination, I got into the hired carriage which the messenger had brought. He then served on me a notice to leave Champaran, and drove me to my place. On his asking me to acknowledge the service of the notice, I wrote to the effect that I did not propose to comply with it and leave Champaran till my

inquiry was finished. There upon I received a summons to take my trial the next day for disobeying the order to leave Champaran.

I kept awake that whole night writing letters and giving necessary instructions to Babu Brajkishore Prasad.

The news of the notice and the summons spread like wildfire, and I was told that Motihari that day witnessed unprecedented scenes. Gorakhababu's house and the court house overflowed with men. Fortunately I had finished all my work during the night and so was able to cope with the crowds. My companions proved the greatest help. They occupied themselves with regulating the crowds, for the latter followed me wherever I went.

A short of friendliness sprang up between the officials—Collector, Magistrate, Police Superintendent and myself. I might have legally resisted the notices served on me. Instead I accepted them all, and my conduct towards the officials was correct. They thus saw that I did not want to offend them personally but that I wanted to offer civil resistance to their orders. In this way they were put at ease, and instead of harassing me they gladly availed themselves of me and my co-workers' co-operation in regulating the crowds. Bit it was an ocular demonstration to them of the fact that their authority was shaken. The people had for the moment lost all fear of punishment and yielded obedience to the power of love which their new friend exercised.

It should be remembered that no one knew me in Champaran. The peasants were all ignorant and Champaran, being far up north of the Ganges, and right at the foot of the Himalayas in close proximity to Nepal, was cut off from the rest of India. The Congress was practically unknown in those parts. Even those who had heard the name of the Congress shrank from joining it or even mentioning it. And now the Congress and its members had entered this land, though not in the name of the Congress, yet in a far more real sense.

In consultation with my co-workers I had decided that nothing should be done in the name of the Congress. What we wanted was work and not name, substance and not shadow. For the name of the Congress was the *bete noire* of the Government and their controllers the planters. To them the Congress was a byword for lawyer's wrangles, evasion of law through legal loopholes, a byword for bomb and anarchical crime and for diplomacy and hypocrisy. We had to disillusion them both. Therefore we had decided not to mention the name of the Congress and not to acquaint the peasants with the organization called the Congress. It was enough, we thought if they understood and followed the spirit of the Congress instead of its letter.

No emissaries had therefore been sent there, openly or secretly, on behalf of the Congress to prepare the ground for our arrival. Rajkumar Shukla was incapable of reaching the thousands of peasants. No political work had yet been done amongst them. The world outside Champaran was not known to them. And yet they received me as though we had been—age long friends. It is no exaggeration, but the literal truth, to say that in this meeting with the peasants. I was face to face with God, Ahimsa and Truth.

When I come to examine my title to this realization, I find nothing but my love for the people. And this in turn is nothing but an expression of my unshakable faith in Ahimsa.

According to the law, I was to be on my trial, but truly speaking Government was to be on its trial. The Commissioner only succeeded in trapping Government in the net which he had spread for me.

Case Withdrawn

The trial began. The Government pleader, the Magistrate and other officials were on tenterhooks. They were at a loss to know what to do. The Government pleader was pressing

the Magistrate to postpone the case. But I interfered and requested the Magistrate not to postpone the case, as I wanted to plead guilty to having disobeyed the order to leave Champaran, and read a brief statement as follows:

‘With the permission of the Court I would like to make a brief statement showing why I have taken the very serious step of seemingly disobeying the order passed under section 144 of Cr. P.C. In my humble opinion it is a question of difference of opinion between the Local Administration and myself. I have entered the country with motives of rendering humanitarian and national service, I have done so in response to a pressing invitation to come and help the ryots, who urged they are not being fairly treated by the indigo planters. I could not render any help without studying the problem. I have, therefore, come to study it with the assistance, if possible, of the Administration and the planters. I have no other motive, and cannot believe that my coming can in any way disturb public peace and cause loss of life. I claim to have considerable experience in such matters. The Administration however, have thought differently. I fully appreciate their difficulty, and I admit too that they can only proceed upon information they received. As a law abiding citizen my first instinct would be, as it was, to obey the order served upon me but I could not do so without doing violence to my sense of duty to those for whom I have come. I feel that I could just now serve them only by remaining in their midst. I could not, therefore, voluntarily retire. Amid this conflict of duties I could only throw the responsibility of removing me from them on the Administration. I am fully conscious of the fact that a person, holding, in the public life of India, a position such as I do, has to be most careful in setting an example. It is my firm belief that in the complex constitution under which we are living, the only safe and honourable course for a self-respecting man is, in the circumstances such as face me, to do what I have decided to do, that is to submit without protest to the penalty of disobedience.

‘I venture to make this statement not in any way in extenuation of the penalty to be awarded against me, but to show that I have disregarded the order served upon me not for want of respect for lawful authority, but in obedience to the higher law of our being, the voice of conscience.’

There was now no occasion to postpone the hearing, but as both the Magistrate and the Government pleader had been taken by surprise, the Magistrate postponed judgement. Meanwhile I had wired full details to the Viceroy, to Patna friends, as also to Pandit Madan Mohan Malaviya and others.

Before I could appear before the Court to receive the sentence, the Magistrate sent a written message that the Lieutenant Governor had ordered the case against me to be withdrawn and this Collector wrote to me saying that I was at liberty to conduct the proposed inquiry, and that I might count of whatever help I needed from the officials. None of us was prepared for this prompt and happy issue.

I called on the Collector Mr Heycock. He seemed to be a good man, anxious to do justice. He told me that I might ask for whatever papers I desired to see, and that I was at liberty to see him whenever I liked.

The country thus had its first direct object lesson in Civil Disobedience. The affair was freely discussed both locally and in the press, and my inquiry got unexpected publicity.

It was necessary for my inquiry that the Government should remain neutral. But the inquiry did not need support from press reporters or leading articles in the press. Indeed the situation in Champaran was so delicate and difficult that over-energetic criticism or highly coloured reports might easily damage the cause which I was seeking to espouse. So I wrote to the editors of the principal papers requesting them not to trouble to send any reporters, as I should send them whatever might be necessary for publication as keep them informed.

I knew that the Government attitude countenancing my presence had displeased the Champaran planters, and I knew that even the officials, though they could say nothing openly, could hardly have liked it. Incorrect or misleading

reports, therefore, were likely to incense them all the more, and their ire, instead of descending on me, would be sure to descend on the poor fear-stricken ryots and seriously hinder my search for the truth about the case.

In spite of these precautions the planters engineered against me a poisonous agitation. All sorts of falsehoods appeared in the press about my co-workers and myself. But my extreme cautiousness and my insistence on truth, even to the minutest detail, turned the edge of their sword.

The planters left no stone unturned in maligning Braj-kishore Babu, but the more they maligned him, the more he rose in the estimation of the people.

In such a delicate situation as this I did not think it proper to invite any leaders from other provinces. Pandit Malaviyaji had sent me an assurance that, whenever I wanted him, I had only to send him word, but I did not trouble him. I thus prevented the struggle from assuming a political aspect. But I sent to the leaders and the principal papers occasional reports, not for publication, but merely for their information. I had seen that, even where the end might be political, but where the cause was non-political, one damaged it by giving it a political aspect and helped it by keeping it within its non-political limit. The Champaran struggle was a proof of the fact that disinterested service of the people in any sphere ultimately helps the country politically.

“Abwab” and the Renewal of “Thika” Leases “Abwab”

Our enquiry has shown that until recently, certain sums were regularly levied from the tenants in addition to the recorded rent by the *thikadars* of the non-indigo concerns in the north-west portion of the district, which unauthorized dues are generally known as *abwab*. The imposition of *abwab* was forbidden by section 54 of the Decennial Settlement Regulation (VIII of 1793), which

definitely laid down that all landlords should consolidate the abwab with the rent into one sum before a fixed date and prohibited under penalty the imposition of any new abwab. This prohibition was again enforced by section 10 of Act X of 1859, and by section 74 of the Bengal Tenancy Act (VIII of 1885). For many years past, no abwab have been realized in villages under the direct management of the Bettiah Estate, but although the estate received no direct benefit therefrom, the *thikadars* of non-indigo concerns continued their realization until this illegal practice was recently brought to notice at the revision settlement, when orders were issued by the Court of Wards prohibiting the levy of anything in excess of the recorded rent and authorized cesses. The evidences taken by us shows that this action has achieved its objects. In some indigo concerns we found that the tenants made a small annual payment known as *farkhawan*, which is usually taken direct by the *patwari* 'at the time of rent "collection"'. This practice is also contrary to the law, the landlord being responsible for the *Patwari's* emoluments. The systematic levy of abwab still prevails in the Ramnagar estate. In one lease produced before us, certain abwab are specified as payable by the *thikadar* to the estate, and in addition there is a clause binding him to assist in collecting certain dues "which are-realized from the tenants and banias according to the ancient custom." The abwab realised by the *thikadars* bear many names, most of which are of old standing, but the full development of the system seems to be comparatively recent and does not go back beyond the last quarter of the nineteenth century. It took the form of an amalgamation and an enhancement of the old abwab and the consolidated levy thenceforth passed under a single name, usually *salami* or *panikharcha* (irrigation due). Occasionally, as in the Bhasurari concern, this levy is called tinkathia by analogy with the indigo obligation although no indigo is grown. The amount of the levy is usually Rs. 3 to Rs. 3-9-0 to Rs. 3-8-0 per bigha and is grown. The amount of the levy is usually Rs. 3 to Rs. 3-8-0

per bigha and is equivalent to addition to the rent of from 60 to 100 per cent. The collection of abwab in this manner has been systematically adopted by the European *thikadars* of this estate who until recently never grew indigo, and also by a number of Indian *thikadars* and petty proprietors. We received no complaint of the systematic collection of abwab in the rest of the district, and it appears that at least of recent years an occasional levy only has been taken by some landlords for a special purpose, such as a marriage in the proprietor's family.

In spite of the general exaction of these irregular dues in the north-west tract of the district, not a single suit has been brought under section 75 of the Bengal Tenancy Act, which provides the legal remedy. The Collector is of opinion that the section remained a dead letter because the tenants did not complain and because there are difficulties in enforcing the law. It has been suggested to us that section 75 should be amended in order to give power to the Collector to deal with cases summarily on the-lines of section 5SS and we agree that a special remedy is required to meet the peculiar conditions of the Champaran district. We also consider that should be made more generally known that the exaction of abwab is illegal. Connected with this exaction is the practice of landlords' servants levying a commission on payments made by tenants known as *dasturi*, which is equally illegal. We, therefore, recommend that:

- (1) Government should issue a proclamation informing all landlords and raiyats that both abwab and the *dasturi* taken by landlords, servants are illegal and must be stopped;
- (2) the Court of Wards should take steps to enforce those prohibitions in the estates under its charge; and
- (3) the special legislation recommended by us for the Champaran district should contain a clause providing that the Collector of his own motion may

enquire into and punish the exaction by a landlord from a tenant of any sum in excess of the rent payable, his decision being to the ordinary appeal. The penalty might appropriately be fixed at a fine not exceeding Rs. 20 or double the amount of the exaction, whichever is greater. Our colleague, the Hon'ble Rajah Kirtyanand Singh, dissents from this proposal for legislation.

Rent Receipt

Where abwabs are systematically levied, the practice is to credit the first payments made by a tenant to that demand and a receipt is not given until payments for the year have been completed. Again, no receipts at all are given for the payment of produce rents. The intention of the Legislature, clearly shown by the form of rent receipt prescribed in schedule II of the Bengal Tenancy Act, was that the first payment of rent in any year should be entered in the receipt given to the raiyat who would produce this receipt for the entry of subsequent payments. We were informed during the course of our local enquiries that such a procedure is unsuitable for Champaran because the tenants fail to produce the first receipt at the time of subsequent payments. The alternative procedure, if the law is to be followed, is to give a full receipt for every payment, which would involve a great increase in clerical labour because rents are frequently paid in small instalments. We consider it essential that some form of receipt should be given for these intermediate payments, though it need not be so elaborate as the prescribed form, and we therefore recommend that the Local Government should use its power under the proviso to section 56(3) to prescribe a simple form of receipt for intermediate payments, the full receipt being reserved for the final payment. The intermediate receipt need only contain the name of the tenant and his *khatian* number, the amount paid with date of payment and the account on which it was paid.

Renewal of "Thika" Leases

We have already described in paragraph 3 the large extent to which the *thikadari* system prevails in the district. If we believed that the abuses of the past were inseparable from that system, and that good relations between landlord and tenant could not be secured under it in the future, it would be our duty to recommend its abolition. But although we consider that good relations between landlord and tenant can ordinarily best be secured under an efficient system of direct management, which follows the general policy laid down in the court of wards Manual, they can also be obtained under a suitable *thikadari* system. We are opposed to any extension of that system and if for any reason the lease of a village is not renewed, it seems preferable to take it under direct management rather than to lease it to another *thikadar*. The *thikadari* system of the Bettiah and Ramnagar estates was not created by the court of wards; many of the *thikadars* are of very old standing, and there may be other reasons arising out of their previous relations which render it inadvisable to make a sudden change of policy. If the conduct of a *thikadar* has been detrimental to the interests of the raiyats or of the superior landlord, his conduct should be scrutinized before the lease is renewed. In case where the court of wards decides to renew the leases, we consider it preferable that they should be granted for moderately long periods, subject to cancellation for breach of the conditions, rather than that the periods, subject to cancellation for breach of the conditions, rather than that the periods should be short. In these circumstances, the commission granted to the lessee should be sufficient to cover the cost of collection (including, irrecoverable arrears) and a reasonable remuneration for himself. Unless the estate officers its *thikadars* reasonable terms, it cannot evade all responsibility for resulting abuses. What a fair commission would be can no doubt be calculated for each tenure. On the other hand, where the commission to be given to the

thikadar exceeds the estimated cost of direct management, the renewal of the leases on such terms requires special justification on the merits of each case. Finally, the leases should contain conditions enforcing such recommendations of the Committee as are accepted by Government, including in particular stipulations that no indigo should be grown except on a voluntary system, and that no *abwab* should be taken. We consider that the estate should hold itself responsible for the well-being of tenants in *thika* villages and when that well-being is in danger, should be responsible for the remedy.

Other Grievances of Tenants Fees on Transfers

It remains for us to deal with various other matters some of which have been sources of trouble in the past and some of which are suggestions made for the improvement of agrarian conditions. The first is the levy of fees on the transfers of occupancy holdings. So far as fees are levied on transfers by inheritance, they are illegal, as the right of inheritance is given by section 26, Bengal Tenancy Act, and no custom exists in derogation of this right. Such fees under the name of *Bapahi Putah*! have been already referred to as an *abwab* in Chapter in. As regards transfers otherwise than by inheritance, it may be noted that the consent of the landlord is required by law to the transfer of a portion of a holding since that involves a subdivision of the tenancy (section 88, Bengal Tenancy Act). The transferability of an occupancy holding depends on custom. In Champaran, the general custom is stated to be that no transfer can be made without the landlord's consent, so that legally the landlord can take a fee for recognized transfers otherwise than by inheritance, and this appears to be the usual practice. At the same time, however, we think that it would be desirable in the interests of good management to adopt a uniform scale of fees where it is possible to do so; e.g., in estates under the Court of Wards. This scale might be varied from time to time, if necessary, and its existence would not derogate from the

right of veto possessed by the landlord even if the transferee offered the prescribed fee, for it would only be taken where the transfer had been approved. We recommend, therefore, that a moderate scale of fees be fixed from time to time in estates under the Court of Wards which should be enforced in villages held direct or under temporary lease, and that as regards villages let in mukarrari lease, the estate should use its best endeavour to induce the lease-holders to adopt the same policy.

The procedure followed by the Bettiah Estate in dealing with applications for mutation of names has been criticized. At present, the attendance of the parties at Bettiah is required, which causes unnecessary inconvenience, as local enquiries are always necessary. At the same time, we do not think it desirable to entrust *thikadari* with the power of disposing of such applications even subject to an appeal to the Manager. We recommend, therefore, that the power of sanctioning mutations should rest with the Estate Manager but that the applications may, if the applicant wishes, be made through the *thikadar*, who would forward it with his report to the Manager and who would communicate to the applicant the orders when received.

Rights in Hides

A complaint that has become prominent lately refers to the right claimed by the Bettiah and Ramnagar Estates and some of their tenure-holder to all the hides of dead cattle. With the rise in the value of hides in recent years, the question of ownership has become more important and has led to changes in the old custom under which a *chamar* took from the estate the lease of the right to hides of a village for a small sum and supplied the tenants with a fixed number of shoes and other articles, whilst in addition his wife gave her services as midwife. The Charsa Mahal as it is called, of the Bettiah Estate was leased out to various persons, some of whom took the right to the hides over a

large area and some of whom were chamars who took the right in individual villages. The total annual income of the Estate from this source is about Rs 3,000. This right to hides was made over with other miscellaneous assets to the indigo concerns who were granted *mukarrari* leases in 1887. In the Ramnagar Estate, we understand the income from the Mahal in the past two years has been Rs. 79,000. The Manager of the Bettiah Estate has tried to justify the claim on the ground of custom and supports it on the ground of public policy for the prevention of cattle poisoning. On the other hand, it is urged that the hide is the legal property of the owner of the dead animal and that the present practice grew irregularly out of fees paid by the *chamars* for the use of waste land for skinning dead animals. The question of the validity by custom of such a right is one for legal decision. We doubt, however, whether such a custom even where proved can override the natural right of the owner of the dead animal to dispose of its hide in any way he pleases. Subject, therefore, to any legal right which the landlords may be held to possess, we are of opinion that the hides are the property of the owner of the dead animal who is entitled to dispose of them as he wishes, whether by sale or in exchange for services.

Kerosene Oil Monopoly

A somewhat similar claim to the monopoly of the trade in kerosene oil has been abandoned by the Bettiah Estate and we think that the *mukarraridars* who derive their claim from the estate should also abandon the practice of issuing licences for the sale of kerosene oil. Such a practice is clearly not legally enforceable and acts detrimentally in restraint of trade.

Rights In Trees

A widespread discontent is manifest among the *raiya*ts in respect of the rights in trees. The legal position has been

ascertained both at the settlement of 1892-99 and at the present revision settlement, it appears trees growing in tenants' holdings cannot be felled without the consent of the landlord, and half the value of the timber of dead or felled trees belongs to him. The tenant urges that he pays rent for the land and the whole produce of it including the trees should belong to him, but, on the other hand, the rent was fixed in consideration of the custom and there is the legal right of the landlord. The tenant undoubtedly feels that restraint in not being able to take wood even from his own holding when he wants it without obtaining permission and with the possibility of abuse by subordinates. On the other hand, there is the danger that the handing over of all the trees to the raiyats might lead to their rapid destruction. The district is exceptionally well wooded, and we understand that in Saran, where the tenants have full rights in trees in lands for which a cash rent is paid, no evidence of general denudation is apparent. In view of the inconvenience resulting from the present custom, we recommend that in the Bettiah Estate the raiyats should be given the option of purchasing the landlord's half share in the timber, the valuation to be made on fair principles, and, in case of disputes, referred to assessors. If it is found in practice that applications for purchase are received in such large numbers from any particular area as to make it probable that undue denudation might take place, the Estate be able to limit the option.

Grazing Rights

During our enquiry, we found that practically all the waste land has been recorded as being in the exclusive possession of the landlords, except certain small plots used for communal purposes such as roads, burial grounds, sites for thrashing floors and the like. This permits the landlords to break up all waste for cultivation or to enclose it for his exclusive use. It has been urged that this is detrimental to the welfare of the village community and provides a weapon of which unfair

use may be made by a bad landlord in cases of dispute with his tenants. There is little doubt that a village is benefited by some land being left for communal use, not necessarily large enough to provide for grazing of all the village cattle but at least adequate to provide the cattle with an exercise ground where they can graze without undue risk of trespass on cropped land. We, therefore, recommend that proprietors and permanent tenure-holders should be advised to set apart suitable plots of land for communal use in the way suggested, and that the Court of Wards should do this in the villages under their direct management, while in villages on lease a similar reservation should be made after due enquiry before the renewal of any lease, conditions relating to such reservation being inserted in the lease.

Labour

Complaints were received by us from some raiyats that the rates paid by the landlords for labour are inadequate. No claim was urged before us by any landlord to any right over the labour, ploughs or carts of his tenants, and it is admitted that labour of all kinds should be taken on a voluntary basis and paid for at local market rates. While it is clearly impossible for us to prescribe suitable rates for all classes of labour, we consider that it would be an advantage for the Bihar Planters' Association to lay down a minimum scale of wages based on the local market rates to be paid by concerns in membership. We recognize the danger that, the minimum might in practice be regarded as the maximum, but rates of wages change slowly and the adoption of the proposal would at least enable the Association to ascertain whether a concern was *prima facie* paying inadequate wages and to exercise a stronger position of control. We, therefore, recommend that all labour should be on a purely voluntary basis and paid for at local market rates, that a minimum tariff of labour wages should be fixed on the basis of local market rates by the Association with the approval of the

Commissioner of the Division, and that this tariff should be revised from time to time in accordance with the local rates.

Cart "Sattas"

Closely connected with the question of labour is the supply of carts. Most indigo factories require a number of carts at particular seasons of the year for the carting of the indigo crop to the factories and the refuse to the fields. Most factories keep their own carts for their ordinary requirements throughout the year, but hire the extra carts required on such special occasions. In order to ensure a regular supply of carts, agreements (sattas) are made with the cartmen to supply carts with bullocks at certain seasons for a fixed period of year at a fixed rate, and the consideration for these agreements invariably takes the form of an advance which is in some cases sufficient to cover the initial cost of a cart and pain of bullocks. Generally, however, it is about Rs. 30 or Rs. 40. We recognize that contracts of this nature are essential to the interests of the industry, and the system is unobjectionable provided the rates paid are fair and the periods not too long, but we consider the periods of these contracts extending in some cases to twenty years are prejudicial to the interests of the cartmen. We recommend that the period should be restricted to three years where the advance does not exceed Rs. 50, and to a maximum of five years where it exceeds Rs. 50, and that the Planters' Association should enforce on its members a bye-law to this effect.

Fines

We received some complaints that a few landlords had imposed and retained fines on tenants in particular cases where their own interests were not concerned and no damage of any kind was sustained by them. Such a practice

is clearly illegal and the levy of lines, properly so called, should be stopped.

Pounds

The question of pound management in the Champaran district has been brought to our notice. The ponuds are largely leased to factories, which has given rise to complaints that they are sometimes used as improper means of coercing raiyats by the impounding of cattle without cause. While it was impossible for us to enquire into and record a finding on individual complaints, the leasing of pounds to landlords may give an opportunity for abuse, and recommend that a trial should be made as an experiment of the direct management of pounds by the District Board.

Village Administration Paper

We have found that there is no authoritative record of village customs such as exists in other provinces of northern India, the procedure followed at settlement for recording various village customs being to make an entry in the village note which does not form part of the Record of Rights. In most provinces, it has been found desirable to make a regular record of such customs and rights. While we recognize that communal village life in Bihar is not so strong as in some other provinces, and that some of the matters such as irrigation rights recorded in these village administration papers are included in the Record of Right of Bihar, we think that advantage would result from some better authenticated record than the village note of such matters as the right in hides, grazing rights, customs as to house building and the like. We commend the suggestion to the consideration of Government.

Miscellaneous

There are two final recommendations that we desire to make which are designed to secure that full effect is given to the

orders which Government may pass. The first is that such orders as may be passed should be communicated in the vernacular to the raiyats by as wide publication as possible. The second is that it should be impressed on the district staff and especially on the staff of the Court of Wards estates that, until Government is satisfied that full effect has been given to these orders, an important part of their duties will be to see that these orders are carried out.

The Solution

Gandhi and his associates collected the statistics meticulously to encounter the government in order to redress the grievances of the tenants. As many as eight thousand tenants were interviewed and they belonged to 850 villages and sixty factories. On 7 July 1917, Gandhi reached Ranchi to attend the preliminary meeting of the committee. He and his party stayed in a dharmashala but other members stayed comfortably in the government guest-house.

At this point of time, written statements were received from the Bihar Planters' Association, Manager of the Bettiah Estate, the Settlement Officer, the Sub-Divisional Officer, the Commissioner of Tirhut and others. On behalf of the planters, Pringle Kennedy, an advocate from Muzaffarpur watched the proceedings.

The police chief of the region was critical of Gandhi and his work amongst the tenants. He opined that since the arrival of Gandhi in this region, the relations between the planters and the ryots were growing from bad to worse. 'This state is in my opinion distinctly due to orders from Mr. Gandhi regarding the rates of labour. Rate of labour have no doubt been deliberately misrepresented to Mr. Gandhi by local agitators such, as Raj Kumar Shukla simply with a view to boycott factories. This labour question has now become most serious, and has already resulted in several riots and will result in many more.'

Gandhi opposed the system of *tinkathia* tooth and nail as it seriously effected the economic and social life of a common tenant. On several occasions, tenants showed much resentment and anger against this system and pleaded for its abolition. When Gandhi pleaded for its abolition, the planters were left with no option but to agree to this proposal. This system indeed was oppressive in its contents and its abolition greatly enhanced the economic status of the tenants.

After prolonged discussion for a number of weeks the members of the inquiry committee signed a report on 3 October 1917 which, in contents, was in fauour of the ryots. In the final shape, the report and the evidence of several persons and associations consisted of twenty-four pages and one hundred and sixty-four pages respectively. It was entitled 'Report of the Committee on the Agrarian Conditions in Champaran'.

Gandhi's reception by the people in this region was full of excitement, love and respect for him. Thousands of people gathered at numerous places to have his *darshan*. Slogans like 'Mahatma Gandhi ji ki Jai', 'Shri Bharat Mata ki Jai' were raised in Gandhi's receptions at public places as well as at the railway stations. In fact the bureaucratic machinery of the region felt perturbed to watch the growing popularity of Gandhi.

Grievances Connected with Indigo Preliminary— The Landlords

The Government has supplied us with previous records relating to the history, economic condition and former agrarian disputes of the Champaran district. Our enquiry has not been sufficiently prolonged for us to be able to add usefully to that information, and we do not propose to reproduce in this report ^ the materials already available, but only to state a few broad facts directly relevant to our

present enquiry. For historical reasons, the district has already been one of large landed estates, and more than three-fourths of it is still held by three large proprietors, viz., the Bettiah estate which has been under the management of the Court of Wards since 1898, the Ramnagar estate which has also been taken under management, and the Madhuban estate. The system of leasing villages to *thikadars* has always been largely followed by the Bettiah and Ramnagar estates, the number of villages managed direct and leased to *thikadars* now being as follows:

These figures have been supplied by the Manager of the Bettiah estate. The total number of villages in the estate is only 1,630 according to the Settlement Officer, and apparently there is some difference in the village unit.

The *thikadari* system has never prevailed to the same extent in the Madhuban estate of 163 villages, but some are also leased.

The European indigo planters form much the most important class of *thikadars* in the district. Some of the older indigo concerns (e.g., Turkaulia, Peeprah, Motihari and Rajpur) have held many villages continuously in lease from the Bettiah estate since the first decade of the 19th century, while others have been established at later dates. In the north-west of the district there are also European *thikadars* who have never grown indigo or have not done so until the last two years. In the Settlement of 1892-99 it was found that the European *thikadars* exercised landlord rights over 46 per cent of the district, and it seems likely that the area is now slightly larger. Broadly it may be said that about half the district is in lease to European *thikadars*, and much more than half the district to *thikadars* of all kinds. Permanent leases known as *mukarrari* have in some cases been granted both by the Bettiah and Ramnagar estates. The Bettiah *mukarrari* leases date from the year 1888 and their grant formed part of a large transaction for the

raising of the sterling loan by which the debts of the estate were consolidated and the rate of interest payable on them reduced. Under the terms of these leases the position of the lease-holder concerns is practically that of a zamindar, the rent being fixed in perpetuity. We have not succeeded in ascertaining the circumstances in which *mukarrari* leases were granted by the Ramnagar estate, but there seems little doubt that as in Bettiah their origin is to be found in the financial embarrassments of the proprietor.

Methods of Cultivation

The area under indigo at the time of the Settlement of 1892-99 was 98,000 acres which was 6.63 per cent of the net cropped area, but its importance in the agricultural economy of the district was much greater than this percentage indicates. About one-thirds by tenants. Owing to the competition of synthetic indigo the area had fallen to 52,600 acres in 1907 and to 81,000 acres in 1914, but under the stimulus of high prices during the war, the area has again expanded to 21,900 acres in 1916. The cultivation of indigo carried on by the factories in lands which they occupy directly either as proprietors or tenure-holders (commonly known as *zirat* cultivation) does not call for special notice. But the condition under which indigo is grown by the tenants for the factories has in the past been the cause of disputes on several occasions, and though we do not consider it necessary to enter into the history of these disputes, we cannot explain the causes of the present unrest without giving some account of the system. In essentials it does not appear to have varied during the last 100 years. Under this system, the tenant agrees to grow indigo for the factory in a portion of his holding. The fraction of the holding so cultivated appears at one time to have been as high as five *kathas* in the *bigha* (=one-fourth), but before 1867 it had already been reduced to four *kathas*, and in 1868 it was fixed at three *kathas*, whence the name *tinkathia*

which is commonly applied to this system. In 1910 the fraction was fixed at two kathas (=one-tenth) by a dye-law of the Planters' Association, but the name tinkathia has survived. Where is grown under this system, the terms of the agreement between the landlord and the tenant are usually embodied in a document which is called the *satta*. In it the tenant acknowledges the receipt of an advance and binds himself to cultivate a specified area with indigo annually. The preparation and weeding of the selected fields, and the cutting of the crop when ripe, are done by the cultivator at his own-expense; the seed is given by the factory, and the sowing is done by the factory and raiyat jointly; the green crop is carted from the field to the factory at the factory's expenses. The rate to be paid for the bigha of indigo is fixed by the *satta* and does not vary with the actual out turn of plant. If owing to causes for which the tenant is not responsible the crop is a failure, only half rates are paid, provided the tenant is allowed to plough up the indigo in time to sow another crop during the same season. A portion of the price is given as an advance free of interest to the tenant at the beginning of the cultivating season, but is usually credited in the rent account and is not paid in cash. The *satta* also contains a penalty clause specifying the amount of the damages which the factory may recover from the tenant if he fails to carry out the agreement, e.g., if he sows other crops in the land measured for indigo.

The khushki system by which the raiyat grows indigo for the factory but not under factory supervision and sells the produce by weight or some method of appraisement seems to have been rare in Champaran until a very recent date. It will be more fully discussed in a later paragraph.

The Price Paid for Indigo

The price paid to the tenants for the indigo so cultivated has varied from time to time. We find that in 1869 after a period of friction and disturbance, the price generally paid

by the factories was raised from approximately Rs. 6-8-0 to Rs. 9 per acre and again in 1877 after another troubled period to Rs 11-5-0. In that year, it was also for the first time distinctly laid down—previous practice had varied—that the rent of the land under indigo was to be remitted. In 1897, the Bihar Planters' Association spontaneously raised the rate to Rs. 12 per acre. Finally, in 1910, after Mr. Gourlay's enquiry, the price was raised to Rs. 13 per acre at which it now stands. If the remission of the rent of the indigo lands be taken into account, the price received by the tenant is approximately Rs. 15-8-0 per acre. A general complaint was made to us by the tenant that the cultivation of indigo at this rate of payment caused them substantial pecuniary loss compared to the profits that they could derive from country crops at their present level of prices. Some leading planters have admitted, and it is not, we believe, seriously disputed by any that the direct return to the cultivator in money from indigo is less than from country crops, but stress is laid on certain indirect advantages, such as the undoubted value of indigo as a rotation crop, and also the benefit derived by the tenant from an advance free of interest at the beginning of the cultivating season which amounts to half the rice of the crop. Finally, it is urged that the low rates of rent at which the tenants hold their land are directly connected with the growing of indigo and must be taken into account when the fairness of the price is considered. It is unnecessary for us to attempt the difficult task of estimating the pecuniary position of the tenant under the tinkathia system of indigo cultivation, because we are satisfied that on other grounds the system is radically defective and should be discontinued.

Defects in the System Under Which Indigo is Grown

There are several points connected with the system which in our opinion are directly responsible for its worst features. The first is that the price paid to the cultivator is fixed and

remains unchanged for a long period of years. We are aware that the prices fixed by the Bihar Planters' Association are minimum prices, but as soon as they have received the *imprimatur* of the Association, they are regarded as the authorized rates and in practice are paid by all concerns. In the course of fifty years, the price paid to the tenant has been doubled in order to adjust the price paid for indigo to the general rise in the level of prices during that period. But the price of indigo being fixed at each stage and the rise in general prices being continuous, it follows that if the price was fair at the beginning of any period, it had become too low by end of it. Of itself, this would tend to cause discontent, and it will be noticed that the exception of the increase made in 1897, every rise in price was preceded by a period of friction and discontent, and a valid objection to the system is that an increase in the price of indigo was seldom effected except by disturbance and agitation.

The second point is that the price is fixed on the area and does not vary with the out-turn of the crop. This leads directly to two defects. The selection by the factory of the plots to be cultivated with indigo is a feature of the system which has often been called in question. It is certainly liable to abuse, e.g., it is asserted that homestead lands in the immediate vicinity of the village site and which are consequently the best manured are frequently selected for indigo. The real gravamen of the charge about the selection of lands does not, however, lie in the possibility of abuse, but in the fact that the system itself is bad. So long as the planter has to pay the same price for a good or a bad crop, he will select for indigo the better lands in the holding. This selection of lands is resented by the cultivator not merely from the fact that the best lands are selected but because it involves interference with his freedom of action. We believe that this is a principal cause of the unpopularity of indigo, and in this respect the system is radically defective.

The payment of a fixed rate per acre leads directly to another feature of the system which is equally responsible for its unpopularity, namely, the close supervision of the indigo cultivation exercised by the factory subordinates. This supervision undoubtedly afford an opportunity for a great deal of petty tyranny, and the cultivator resents being compelled to carry out the various cultivation processes not at the time most convenient to himself, but at the time when the work is considered necessary by factory subordinates. The system gives opportunities to the factory servants to harass cultivators against whom they may have a grudge; or to exact payment as the price of their favour. A good manager accessible to his raiyats may be able to keep the oppression of his subordinates within small limits, but even the best of managers cannot prevent altogether oppressive acts by low-paid subordinates placed in a position of authority. So long as the payment is made on the area and does not vary with the out-turn, and the tenant has no interest in the out-turn, close supervision will be essential. In this respect also, we consider that the system is inherently bad.

Another important objection to the tinkathia system is the fact that the growing of indigo is connected with a sense of obligation. We are satisfied that for the last fifty years the growing of tinkathia indigo has been disliked by the raiyat and that he would at any time have been glad to relinquish it. Whether such sense of obligation had any legal foundation is a matter for the decision of a legal tribunal, but its unpopularity is shown by the large extent to which the tenants have in recent years purchased their release. In the interests of the future peace of the districts, it is essential that the relations of landlord and tenant should be clearly defined by the law, and that the growing of indigo should cease to be connected with any sense of obligation or any customary right.

Proposal that the Tinkathia System should be Abolished

We find therefore that the tirkathia system is unpopular with the raiyats who regard it as unprofitable, is radically defective in some important respects, and is inconsistent with the relations that should exist between landlord and tenant under modern conditions. We accordingly recommend that this system of growing indigo in Champaran should be altogether abolished, and that legislation should be undertaken to effect this change. This proposal will affect tenancies in which the growing of indigo has been recorded as an incident of the tenancy in the Record of Rights and a recommendation on this point will be made in a later paragraph.

Future System of Growing Indigo

It is not our intention of course that indigo should cease to be grown but that it should be grown under fair and reasonable condition. Indigo is already grown by some factories on the voluntary system (*khushki*), and we consider that this is the system which alone should be permitted for the future. The essential features of such a system are:

- (1) The tenant must be absolutely free to enter into the contract or to refrain from making it.
- (2) The particular plots to be devoted to indigo must be entirely at the option of the raiyat.
- (3) The price paid for the *indigo must be* settled by voluntary agreement and entirely on a commercial basis.
- (4) The price must be fixed on the weight of the crop, but such weight may, if agreed, be settled by appraisement of the weight by a selected *panch* instead of by actual weighment.

- (5) The contract must be for an emphatically short period not exceeding three years.

To the last condition we attach importance. In the interests of the tenant, we do not think that he should be allowed to bind himself to his landlord to grow a particular crop at a rate of payment fixed for many years in advance, and in Champaran long contracts would directly tend to keep alive the sense of obligation which we desire to end.

We are in general averse from fixing by outside authority the minimum prices to be paid for particular crops, because of the strong tendency of such prices to become maximum prices. In view, however, of the past history of the indigo industry, we believe that a safeguard of some kind will be necessary for the first few years. We recommend therefore that, until the Local Government is satisfied that the safeguard can be dispensed with, a minimum price for indigo should be fixed by the Bihar planters' Association, subject to the approval of the Commissioner of the Division.

Conversion of the Indigo Obligation

The manufacture in Germany in the middle nineties of synthetic indigo, which enabled the German firms to undersell the natural product, produced a profound effect on the indigo industry in Bihar. The price of the natural dye steadily diminished and though efforts were made to reduce the cost of production and to increase the out-turn (e.g., by the introduction of the Java plant which gave a large out-turn of colouring matter per acre), these efforts met with but indifferent success. One by one, the factories abandoned the hope of successful competition with the synthetic dye and began to turn their attention to other measures, the principal being the taking of compensation in one form or another for releasing the tenant from the cultivation of indigo.

Two concerns in the north of the district substituted a fixed payment of paddy in lieu of the cultivation of indigo, but this practice was recently abandoned owing to the disapproval expressed by Government. Some other concerns substituted sugarcane or oats for indigo we have been informed that the Bara concern has in some cases substituted *satta* for $1\frac{1}{2}$ *kathas* of sugar in lieu of 3 *kathas* of indigo. Oats are still grown to a limited extent in lieu of indigo by the Mallahia, Bairia and Kuria concerns. The growing of crops other than indigo under *satta* conditions is expressly forbidden by a bye-law of the Bihar Planters' Association adopted in 1910 at the instance of Government after the disturbances which took place at the end of 1908. Those disturbances affected four factories, of which Mallahia, Bairia and Kuria are three. It is, we think regrettable that those factories should have continued to act in direct contravention of a bye-law which was passed with special reference to practices in these concerns.

In 1911, a general movement towards the abandonment of indigo began which continued unchecked till the outbreak of the war in 1914, when a large rise in the price of indigo once more made the manufacture a profitable one. Two different methods of commutation were generally adopted. In some cases, agreements were executed by the tenants for the payment of enhanced rents, commonly known as *sharahbeshi*. In other cases, the raiyats purchased freedom from indigo for a lump sum, sometimes paid in cash and sometime by a money bond bearing 12 per cent interest. This method is called *tawan* or *tamam*. In other cases, a promise was given to the tenant that in consideration of the payment of *sharahbeshi* or *tawan*, as the case may be, neither the factory itself nor its successors in interests would in future ask him to grow indigo for them under the *tinkathia* conditions.

Sharabeshi has been taken by only five concerns, viz, Turkaulia, Motihari, Peeprah, Jallaha and Sirni, the two last being outworks of Turkaulia which were sold in recent years, and only in the villages which the factories held in mukarrari lease from the Bettiah estate and the very few held by them in proprietary right. In the villages held in temporary lease all these concerns, except peeprah, took tawan, and it was also taken by nine other concerns, of which the most important Rajpur, Bara, Bairia and Bhelwa. The rates at which sharabeshi was taken varied widely in the different concerns, but on the average the enhancement amounted to between 50 and 60 per cent of the previous rents. The following table shows the average amount of the enhancement and the proportion it bore to the previous rent in four concerns:

Serial No.	Name of concern	Amount of enhancement per acre			Percentage on previous rents
1	2	3			4
		Rs.	a	P	
1.	Turkaulia	0	15	0	50
2.	Jallaha	1	3	0	55
3.	Motihari	1	6	6	60
4.	Peeprah	0	15	0	75

The percentage is highest in Peeprah where the previous rents had been exceptionally low. The rate of tawan also varied, and was usually calculated on the portion of the holding in which indigo was grown, i.e., three *kathas* in the *bigha*. The payment was frequently fixed on the basis of the amount which the factory had realized in indigo damage suits when the tenant had failed to carry out his agreement. The amount taken as tawan varied from Rs. 66 to Rs. 20 per acre and probably on the average was between Rs 50 and Rs 60 per acre, which would be equivalent to a payment of Rs.7-8-0 to Rs 9 on each acre of the holding.

In the concerns affected by this conversion, about 50,000 acres of indigo were formerly cultivated under tinkathia conditions, and of this area over 40,000 acres were released—18,000 acres by taking tawan and 22,000 acres by taking sharahbeshi. At the recent settlement, tinkathia has been recorded as incident of the tenancy only in the five concerns of Turkaulia, Motihari, Peeprah, Jallaha and Sirni, and the area of indigo over which it is claimed by these factories amounts to 1,910 acres, though we have no information as to what extent the incident has been recorded. We have endeavoured to secure statistics of the present indigo cultivation from all factories and, although not quite complete for the whole district, the omissions are insignificant. They show that a total area of 26,848 acres of indigo is made up as follows:

Zirat cultivation	10,697 acres
Tinkathia cultivation	9,542 acres
Khushki cultivation	6,609 acres

Commutation by Enhanced Rent—"Sharahbeshi"

The enhanced rents taken in lieu of indigo in every case exceeded the limit of two annas in the rupee to which enhancement contracts are ordinarily restricted by section 29, clause (b) of the Bengal Tenancy Act. Under the third proviso to the section, however, this limit does not apply when the raiyat has held his land at a specially low rate of rent in consideration of cultivating a particular crop for the convenience of his landlord. It is contended by the concerns that their tenants were under an obligation to grow indigo in three kathas in the bigha of their holdings, that the rents of holdings had been determined in consideration of this obligation, and that because of the obligation the concerns had refrained from enhancement of rents. It is asserted, in fact, that the obligation to grow indigo was incident of the tenancy. In support of this contention, the concerns

have referred to certain *sattas* and *kabuliyats* executed by some of the tenants before 1880 in which the obligation to grow indigo in three *kathas* in the bigha is recorded. On behalf of the raiyats, it is contended that in fact they were under no legal obligation to grow indigo or that if there were any obligation they did not hold their land at a specially low rate of rent because of it. It is also urged that whether the enhancements were legal or not, it is inequitable that the tenants should be called on to pay an enhanced rent as the price of relief from a burden under which they had long suffered. Finally, it is urged that the agreements were executed by raiyats under coercion or under influence or in ignorance of their true legal position.

Mr. Sweeney, Settlement Officer, informed us that these enhancements had been the subject of enquiry during the Revision Settlement and he described to us the principles followed by the Settlement Department in dealing with these cases. The legality of the enhancements has also been considered by the civil Court in nine suits brought by tenants of the Turkaulia concern asking for a declaration that the *kabuliyats* in which they agreed to pay the enhanced rents should be declared void on the ground that they were executed under coercion and were not in accordance with the law. These suits are now before the High Court in appeal.

Our enquiries satisfied us that the feeling of the raiyats against enhancements was very strong and that every legal means would be used to upset them. Without special legislation, prolonged and expensive litigation seemed inevitable. However such litigation might end, it would produce a permanent embitterment of feeling on both sides. We are also impressed with the great desirability of an immediate settlement between landlord and tenants of this difficult question. In these circumstances, it seemed to us very important that if possible a settlement should be arranged by consent with mutual concessions made by both

parties in the interests of peace and goodwill. With this object, we entered into negotiations with the representatives of the three principal concerns, and we are glad to report that our efforts have been successful. At a meeting held in Ranchi on 29th September at which Messrs Hill, Irwin, and Norman, the managers of Turkaulia Limited, Motihori Limited, and Pesprah concerns, were present and at which Mr. Gandhi represented the interests of the raiyats, an agreement was reached on the following terms:

- (1) The enhancement effected by sharahbeshi shall be reduced with effect from the commencement of the fasli year 1325 (October 1917) by 20 per cent in the case of Turkaulia Limited, and by 26 per cent in the case of Motihari Limited and the Peeprah concern, the rents for years prior to 1325 *fasli* remaining unchanged at the Survey Settlement rates.
- (2) The existing indigo obligation recorded in the Survey Records shall be abolished from the commencement of the fasli year 1325 and in lieu the enhanced rent (sharahbeshi) shall be fixed at the rate at which it would have stood had commutation taken place together with the other less the reduction now agreed upon.

As the representative of the raiyats, our colleague, Mr. Gandhi fully accepts this arrangement as a satisfactory settlement and he undertakes to use his influence fully with the raiyats to make them loyally accept it and to bring about future peace in the relations of planters and their tenants. This settlement is subject to the condition that full binding effect must be given to it by legislation. We regard this settlement as equitable to all interests concerned and therefore recommend that action should be immediately taken by emergency legislation to render this settlement by consent binding on all the parties concerned.

As regards the two small concerns of Jallaha and Sirni, which are not parties to this settlement by consent, we recommend that the reduction should be fixed at 26 per cent upon the same conditions as in Motihari and Peeprah.

Commutation by Money Payments—"Tawan"

We have still to consider the cases in which the indigo obligation has been commuted for a lump sum payment which method we regard as distinctly prejudicial to the interests of the tenants. The taking of tawan has been defended by the factories in two different ways. Some concerns do not allege that there was any incident of tenancy or obligation on the tenant to grow indigo apart from the *satta* and urge that the payment was made by the tenants for the termination of a contract on terms mutually satisfactory to the parties. But this theory that the payment was made by the tenants for the termination of a contract appears to us to be exposed to almost insuperable difficulties. It is not obvious why both parties desire to terminate a contract, a large payment should be made by one of them, particularly when the proposal to terminate the contract originates with the party who is to receive the money. In no concern, we believe, did the rate of payment vary according to the length of time which the contract had still to run, though this might certainly have been expected had the contract alone been in question. Again, in every case where tawan was taken, was a part of the bargain that the tenant received a promise that he would never again be required to grow indigo either by the present proprietors of the factory or by any person to whom the factory might be transferred. There is no doubt, in our opinion, that what the raiyat paid for was a final release from the obligation to grow indigo and that he would not have voluntarily paid such large sums merely for release from the unexpired period of the *satta*.

The older factories which took *sharahbeshi* in their *mukarrari* villages and *tawan* in the villages in temporary

lease give a different explanation. They assert in both cases the existence of an incident of tenancy, i.e., an obligation to grow indigo as a part of the condition on which the tenant held his land. But if the factory enhanced rents in a temporarily-leased village, nine-tenths of the profit would at the next renewal pass to the superior landlord. The result is that a peculiar claim is advanced by the factory. It is asserted that the obligation to grow indigo imposed on the tenant could be claimed only by the factory and not by the superior landlord, and that therefore the factory was entitled to commute the incident and take the whole of the proceeds, in which the superior landlord could claim no share. This assumes that a temporary lease-holder, when setting land with a tenant, can create an incident of tenancy the benefit of which can be claimed only by him. No legal authority for this position was placed before us, then the benefit can be enjoyed by the lease-holder only so long as he holds the lease and no longer. The indigo incident has not been claimed and is not now claimed by the Bettiah estate, and the claim of the factories in the form in which it has been presented to us must, we think, be wholly rejected.

It seems to us, therefore, that whichever theory be adopted, the taking of tawan was not justified in temporarily-leased villages. If it be said that the payment was for the termination of a contract, the answer is that is not what the tenant desired to buy, nor is it the most important thing the factory sold, that is, final release from indigo. If it is said that the tenant was under an obligation to grow indigo as one of the conditions on which he held his land, it is evident that the payment was of the nature of capitalized rent and if so the interests of the superior landlord were prejudiced. Since the taking of tawan was within the knowledge of the Bettiah estate, which took no action to stop it, we consider that the estate itself must accept some share of the responsibility. We recommend that where tawan has been taken in temporarily-leased

villages, the Bettiah estate should make it a condition of the renewal of the temporary lease that 25 per cent of the tawan collected should be paid to the estate, and that the estate should refund it to the tenants concerned. Moreover, since *tawan* must be regarded at least in part as capitalized rent, we recommend that the Bettiah estate should for a period of seven years forgo any enhancement, which may be granted in the Settlement Courts on the ground of the rise in prices, of the rent of a tenant who has paid tawan.

We have been informed that in a few cases where villages had very recently come into lease to a factory, the management procured the execution of satts by the raiyats and, after growing indigo for one or two years, commuted the indigo rights by taking tawan. Action of this kind seems to us totally indefensible and the Bettiah estate is bound in the interests of its tenants to interfere. We recommend that in such cases, the Court of Wards should refuse to renew the temporary leases of the concern unless the whole of the tawan is refunded.

Tawan was also taken in some of the permanently-leased villages by a few concerns, of which the most important is Rajpur. In view of the fact that a reduction of sharahbeshi has been accepted under the settlement by consent in the interests of future peace and goodwill, we consider that the *mukarraridars* should be advised by the Local Government to make a refund on a similar basis of a portion of the tawan taken by them. In consideration of the low rate of tawan taken by the Rajpur concern, we consider that a reduction of ten per cent would be adequate.

Special Case of Rajghat Concern

Finally, we desire to the peculiar conditions of the Rajghat factory (manager. Mr. Apperley), where no incident of tenancy is claimed but where written contracts had been entered into by the tenants for the growing of indigo in

consideration of freedom from rent enhancement. On the expiry of these contracts, this arrangement was continued by mutual consent, and consequently the factory refrained from applying for rent enhancement at the proper time during the revision settlement. At our local enquiry, we were informed by the tenants that they now desired to abandon indigo. Under these circumstances, it is only reasonable that the factory should be enabled to apply for a general enhancement of rent in accordance with the settlement procedure, but as the time-limit for this procedure under section 105 of the Bengal Tenancy Act has already expired, this is impossible unless the Government takes action under section 112 of the Bengal Tenancy Act. Failing this course, we recommend that the special legislation should contain a clause enabling this concern to take advantage of section 105.

Extracts from Minutes of Champaran Committee Meeting

August 11, 1917

Resuming the discussion of the previous day, Mr. Gandhi said that the average amount of sharahbeshi taken was about 50 per cent of the rent. The note circulated by Raja Kirtyanand Sinha suggested a compromise of an enhancement of four annas in the rupees to cover sharahbeshi and ordinary enhancement on the score of rise in prices. He was anxious to meet the views of his fellow-members so far as that was possible, and he was prepared to agree to a small enhancement over and above that admissible for a rise in prices but would not support a penal enhancement. The greatest difficulty would be as regards the sharahbeshi already taken. He thought that anything very much larger than the enhancement allowed for the rise in prices would be near the danger point.

The President said that he understood the proposal to be that, in cases where the obligation to grow indigo existed as an incident of tenancy or had been commuted by sharahbeshi, a slight enhancement though not a penal one in excess of the enhancement generally admissible for a rise in prices should be allowed. He pointed out that it was impossible to fix a definite figure for the total enhancement, because it was still uncertain what enhancement would eventually be allowed by the courts on account of the rise in prices. The proposal, therefore, could only refer to the amount of enhancement above this figure. He asked Mr. Gandhi to what extra enhancement he was prepared to agree. Mr. Gandhi said he thought not more than one anna in the rupee.

The President said that the facts were that by a settlement between the planters and raiyats, there had been a sharahbeshi enhancement of 50 per cent, which Mr. Gandhi thought excessive because the legal property in exchange for which this enhancement was taken was inequitable and therefore the enhancement should be reduced. Mr. Gandhi added that there was also the fact that the tenants were not paying rents and in one case their resistance had been successful. By adopting his suggestion, the Committee would put a stop at once to the present trouble and it was not open to the Committee to shift responsibility by suggesting another tribunal. Mr. Adami held the view that one anna was not sufficient and, considering the difficulties which had been pointed out by Mr. Rainy, he would be inclined to adopt the suggestion of a general settlement of rents in *mukarrari* villages by a special tribunal in all cases where the obligation still existed or where it had been converted. Raja Kirtyanand Sinha supported the proposal in his note for an enhancement of four annas in the rupee. Mr. Gandhi remarked that if Mr. Adami's proposal was accepted, the Committee would only have half done its work, but his main objection to it was that it would add to a ferment which

already existed. The Committee had the right to confer with the planters and he thought it would be far better if they could come to some agreement with the planters without the necessity of appointing any tribunal which would delay a final agreement. Mr. Reid pointed out that the three concerns mainly affected were Motihari, Pipra and Turkaulia and he was prepared to put the proposal before these three concerns. The President remarked that it should first be decided whether the proposal was to be put before the planters as a final one which they could adopt or not or merely as a basis for discussion. He inclined to the latter. There was a tremendous advantage in getting the question settled without reference to any court and, as he himself doubted whether one anna was adequate, he thought the suggestion should be used as a basis for discussion. Mr. Gandhi said that he would not go so far as to say that he could not agree to anything above one anna, but at the same time he could not say that he would go beyond this point. The one anna was pure concession on his part, because he did not think the raiyats should be called upon to pay any enhancement beyond that allowed by the rise in prices. Mr. Reid doubted if the planters would agree to anything under eight annas enhancement and pointed out that even in Pipra which had taken the biggest enhancement, the rents were only Rs. 2 an acre.

Mr. Reid then suggested that it would be a fairer proposal if the amount of sharahbeshi was reduced by a fixed percentage, say, by 25 per cent. Mr. Gandhi said he would be very willing to consider that as a basis for a settlement and would be prepared to go a long way to get goodwill established. It was generally agreed that this was a fairer basis for discussion than the original proposal, and that Messrs Irwin, Hill, and Norman should be asked to come on the following day in order that the proposal might be put to them.

Tawan—The proposal left over for decision from the first meeting was that no action should be taken in cases where *tawan* had been already paid but that outstanding bonds on account of *tawan* should be cancelled. The President said one difficulty about this proposal was that some bonds were mixed and included amounts taken on accounts other than *tawan*, and some sort of enquiry would, therefore, be necessary before the question of these bonds could be finally disposed of. The other difficulty was that the proposal worked unequally both on raiyats and planters. Mr. Gandhi pointed out that the first difficulty could be got over by examining the factory books, and he would leave it to the Bettiah Raj to satisfy itself that outstanding amounts on account of *tawan* had been foregone. Mr Reid said that he thought the only factory where such mixed bonds were taken was Bairia where in some cases the debts of raiyats had been taken over and added to the *tawan*. He would be inclined to apply the same suggestion to *tawan* that he made in the case of *sharahbeshi*, namely, to deduct a percentage from outstandings and to refund a percentage on the *tawan* already paid. This would only apply to *thika* villages.

The next point considered was whether the Raj could claim an enhancement of rent in cases where *tawan* had been taken. Mr. Rainy said he was inclined to agree to the proposal that no 1 enhancement should be applied for in such cases, but the President felt that the interests of the Bettiah Raj also needed consideration. He would propose that the Raj should not be debarred from claiming an enhancement of rent in cases where *tawan* had been taken but that for a period of years, say five, the enhanced rent should not be realized. Mr. Gandhi suggested that the enhancement of rent should be forgone until the following settlement. Mr. Rainy remarked that the 15-year period could not be justified if the amount of *tawan* taken did not cover 15 times the enhancement. His idea was that the Raj should forego enhancement so far as it was covered by the

tawan. Mr. Reid pointed out that the Raj was to blame to some extent for the position. After discussion, it was decided to recommend that in cases where *tawan* had been taken, the Raj was not to be debarred from claiming enhancement but it would forego realisation of the enhancement for a period of seven years.

Mr. Gandhi made the following proposals:

- (1) That the Committee should make a general recommendation that the orders passed by Government on the Committee's report should be communicated in the vernacular to the raiyats. This was accepted.
- (2) That the kerosene oil monopoly should be stopped. This was agreed too.
- (3) He proposed that raiyats should be informed that dasturi was illegal. It was agreed to say in the report that it had been brought to notice that amla took commissions on payments which were entirely illegal and that every effort should be made to stop them and to recommend that a proclamation should be issued to the raiyats, informing them that this dasturi was not legally payable.
- (4) He suggested that some officer should be deputed to enquire periodically if the orders of Government on the Committee's recommendations were being carried out. It was agreed that a paragraph should be included to emphasise that an important part of the duties of the district staff would be so to see that Government orders on the recommendation were carried out which would apply especially to the staff of the Bettiah Raj until Government was satisfied that the full effect of these orders had been secured.

Extracts from Minutes of Champaran Committee Meeting

August 12, 1917

At the resumption of the discussion, Messrs Irwin (Motihari), Norman (Pipra) and Hiss (Turkaulia) were present by invitation. The President explained that this discussion must be entirely confidential. The Committee had come to the unanimous conclusion that the tinkathia system go and should be replaced by the khuski system under short-term agreement. It had, therefore, been necessary to consider the question of the commutation of the indigo obligation both in cases where it still existed and in cases where it had already been commuted. Mr Gandhi had said that he was prepared to consider the possibility of a settlement on certain lines. He, therefore, asked Mr Gandhi to put his proposal before the planters present. Mr. Gandhi said that his object was to promote harmony; he had no doubt that sharahbeshi had caused considerable difficulty to the raiyats, seeing the large numbers that had protested against it. At the time of conversion of the obligation, indigo was not profitable and it was mutually beneficial to both parties to cancel the obligation. Any burden imposed, therefore, on the raiyats beyond the ordinary legal enhancements was one against which they were justified in protesting. As to the amount of the ordinary enhancement about which on the previous day there appeared to be some doubt, he referred to the judgement of the special judge in special appeal No 14 of 1916, and said that it appeared from that that the enhancement eventually decided on would be three annas and not four annas eight pies. He had suggested as a concession an extra anna on account of sharahbeshi. The planters would no doubt consider that it called for considerable self-denial on their part to give up anything of the sharahbeshi which they had already obtained, but he appealed to them to think of the raiyats' position; he would be prepared to accept a proposal on the

basis of an all-round reduction in the sharahbeshi already taken which was perhaps a better basis for discussion. He pointed out how desirable it was that some figure should be agreed upon between the parties because, in the event of this not being done in either of the ways suggested, the only course remaining was the settlement of rents by a special tribunal which would give rise to endless, quarrels, and would postpone settlement of the disputes over a considerable period. If, however, the planters would prefer to have a special tribunal, he would be prepared to consider the proposal. The president remarked that so far as the discussion had gone, the Committee favoured a settlement on the lines of proportionate reduction of sharahbeshi taken rather than the proposal to an all-round enhancement of a certain amount on the original rents because the former was more equitable in view of the varying conditions of different concerns... . Mr. Raid said he had a long talk that morning with the three planters present. At first they had been averse from agreeing to any decrease to the enhancement which had been mutually agreed upon and approved by the Settlement Court. Their view was that they had valuable property which the Committee was asking them to give up in part. He had put the view to them that it was extremely desirable to avoid future litigation and trouble even if it involved some sacrifice on their part. Finally, they had agreed reluctantly to remit a certain proportion. Mr. Hill, however, had pointed out that his enhancements were low and that he thought that the reduction in his case should be less than in that of others. Mr. Gandhi said he was prepared to accept the principle of a different rate of reduction for different concerns but the difficulty was that the Committee had not got the figures before them and he doubted if the settlement records would give them sufficient data for arriving at a proper variation in the reduction without further enquiry. The President said that the advantage of getting a settlement by agreement was immense not only to the planters but also to the raiyats. If the Committee

could decide on a particular percentage of reduction, they would get a long way towards settlement and he, therefore, thought that an endeavour should be made to get down to a particular figure. The alternative to a settlement by agreement was one which would lead to increased bitterness of feeling and even then the decisions of the special court might not be accepted with good-will. He would, therefore, ask the planters to state what was the outside figure of the reduction of the sharahbeshi enhancement to which they are prepared to agree. Messrs Irwin and Norman said they were prepared to forego 25 per cent and Mr. Hill said he was prepared to forego 20 per cent as a maximum. Mr. Gandhi said that he was not in a position at present to say off hand what percentage of reduction he would consider to be fair and he was not sure whether the Committee were in a position to arrive at a figure at the present moment. Mr. Gandhi wanted to know if the planters explained their position to be that if the Committee recommended any deduction up to 25 per cent, they would accept it; if the Committee recommended a higher figure than 25 per cent, they would oppose it; and on the understanding that this would be binding on all with no possibility of litigation outside such agreement. The President remarked that he thought that any agreement would require binding by legislation and that it now remained for the Committee to try and arrive at some agreement on the percentage. He pointed out that in all these sharah beshi cases, the enhanced rents had been passed by the Settlement Courts as fair and equitable, so that the Committee could be quite certain that any rents fixed after such a reduction of sharahbeshi as was proposed would be a fortiori fair to the raiyats. In disputed cases, the rent had only been passed as fair and equitable by the settlement Courts where they held that the tinkathia obligation was proved and the original rent was low. He thought, therefore, that there was no fear that the new rents after reduction would not be fair and equitable. Mr. Gandhi observed that the Settlement Officer

was, in his opinion, wrong in the decisions he gave and had misinterpreted the law. He doubted whether the Settlement Court's decisions would stand legal scrutiny. He also thought that the settlement decisions were wrong in equity and again referred to the judgement of the Special Judge in Special Appeal No. 14 of 1916 in which the contention of the Settlement Officer that Re. 0-4-8 per rupee was an unfair enhancement had been upheld by the Special Judge. If the Settlement Courts had considered Re. 0.4-8 to be an unfair enhancement and had allowed only 3 annas, how could they in other cases hold enhancements rising as high as 100 per cent to be fair and equitable?. Mr. Rainy thought that Mr. Gandhi was confusing a legal enhancement with a fair and equitable rent. The applications of the Bettiah Raj for the settlement of their depended on the presumption that the existing rents were fair and equitable. In the sharahbeshi case, that presumption did not arise because the rents were specially low. It was necessary to distinguish carefully the legal and equitable points of view.

Mr. Gandhi said that in determining what was a fair and equitable rent, the out turn of the soil alone should not be taken into consideration. It did not follow because the rent was only a small proportion of the produce, that it was too low. His difficulty was that his view-point and that of the planters were different and there were no cases so difficult to settle by agreement as those in which the view-points differed. He could not agree to a penal enhancement and the proposal of a 25 per cent reduction at present appeared to him to involve a penal enhancement. He wanted an opportunity to examine the figures before deciding. Mr. Irwin instanced the case of Bisambharpur, a village belonging to petty maliks and not in lease to him although entirely surrounded by Bettiah Raj villages which he held in lease; the rates of rent in Bisambharpur varied from Rs. 9 to Rs. 14 a bigha, whereas the rate of rent in the surrounding villages in lease to him only averaged Rs. 4 to

Rs. 5 a bigha, even including the sharahbeshi. He did not see how it was possible to contend that from the rayaits' standpoint, the proposal was a favourable one, as it would give them a considerable advantage. Mr. Gandhi, however, said that the legal position from the raiyats' standpoint was not hopeless.

Mr. Gandhi said that he worked out the figures as follow:

The sharahbeshi enhancements varied from 19 or 20 annas up to 30 or 32 per bigha. A 25 per cent reduction would reduce these enhancements to amounts varying from 14 annas 9 pies or 15 annas to 22 annas 6 pies or 24 annas. According to his calculation, if the rent rate was Rs. 2-6-0 per bigha, the enhancement under his proposal would be 10 annas per bigha only and the difference between this and the results of the other proposal was very considerable. The President said that in Motihari, the sharahbeshi was 60 per cent of the former rent. It was now proposed to reduce it to 47 per cent, whereas Mr. Gandhi's proposal would give only 25 per cent; the difference was, therefore, one of 20 per cent. Mr. Rainy pointed out that it was misleading in some cases to judge by percentage because in cases where the percentage was high, e.g., Pipra, the absolute amount of the rent was low. The President pointed out that both in Turkaulia and Motihari the raiyats had paid enhanced rents for 6 years with no objections, save in a very few cases, and he thought that a reduction of 25 per cent was a very considerable concession to the raiyats. Mr. Gandhi said that he looked at it from the point of view of what the raiyats had the right to demand 6 years ago, because it was only through their ignorance of their legal position that they had not raised any objections before. The President said that he saw no other way of avoiding a tribunal except settlement by consent, and it was very uncertain whether the raiyats would get such good terms from the tribunal as those now offered. Even if Mr., Gandhi was not satisfied that the present rent including sharahbeshi reduced as proposed

was fair and equitable, could he not be satisfied that the rent was capable of being easily paid? Mr. Gandhi said that he thought the Champaran raiyat was poor and he was not prepared to admit that the rent could be paid easily. . . . Mr. Gandhi said that the class of raiyats had to be considered as well as the possibilities of the soil and the Champaran raiyat was by nature a bad cultivator. In his opinion, if rents were apparently low, there was generally a very good reason for it. He considered that the raiyats had fully paid for this concession of abstention from rent enhancement and his view of the legal position was that the raiyats could free themselves from the obligation without paying any compensation. In saying this, he did not mean to imply that he wished indigo to disappear; he would advise the raiyats to grow indigo, provided they got reasonable rates for it Mr. Rainy said on the basis of Mr. Sweeney's figures of produce the Pipra rents were very low, the Motihari rents moderate and even the Turkaulia rents were not high; if 25 per cent of the sharahbeshi was taken off, it would give an ample margin of safety. Mr. Gandhi said he could not bring himself to accept the proposal of a 25 per cent reduction. Mr. Reid enquired whether the alternative to a settlement by agreement was the suggestion of a tribunal. Mr. Gandhi said that if the Committee could not come to an agreement, he would be prepared to accept the suggestion of a tribunal, but he asked whether the Committee could not recommend a higher reduction. The President said that he thought the Committee had got the highest possible figures out of the planters and he was not prepared to agree to higher figure. He could not imagine that any raiyats would ever regret having accepted this proposal; the only raiyats who might be discontented were the few raiyats who still grew indigo. Mr. Gandhi said that the raiyats thought that they could get rid of sharahbeshi by legal methods even in cases where it had been settled under section 10 (C). He did not see, therefore, that they would regret not accepting the present proposal.

Mr. Gandhi enquired what was to be done in the case of the Jalaha concern in the event of the Committee reaching a conclusion on the general question. In that concern, sharahbeshi had been taken by making tenants surrender their holdings which were then resettled with their relatives on an enhanced rent. The Civil Court had held in some cases that the old tenants should be restored at the former rent. The President said that this was the first occasion that the matter had been brought to his notice and he thought that they ought to ascertain the facts and hear what Mr. Jameson had to say before coming to any conclusion about it. . .

Returning to the general question, Mr Adami said that the equity of the position would be to wash out the past 50 years and put the parties back in the position they would have been if indigo had not been grown. Mr Gandhi said that this could not be done as the raiyat had given up far more than he had gained during that period. Mr. Rainy pointed out the high rents in Madhuban Babu's estate. Mr. Gandhi admitted that Indian Zamindars had enhanced their raiyats' rents . . . The President then said that as Mr. Gandhi could not agree to the 25 per cent reduction, there were two courses open—the Committee could recommend the view of the majority that a 25 per cent reduction was fair; Mr. Gandhi would in a note of dissent give his reasons for thinking that a higher figure was required and it could be left to Government to decide between these two views and legislate accordingly. That course, however, could only be adopted if he was satisfied that the decision of Government whatever it might be would be accepted. If it was not accepted, the position of strife and unrest would still remain and in that event the Committee would have to recommend the alternative procedure of settlement of rents by a special tribunal. He hoped that in the interest of peace it would be possible to adopt the first alternative procedure of settlement of rents by a special tribunal. He hoped that in the interest of peace, it would be possible to adopt the first alternative, it

being understood that whatever Government decided would be loyally accepted. Mr. Gandhi said that he could promise to accept the decision of Government and would refrain from advising the raiyats to resist it. Mr. Reid enquired what should be done as regards pending legislation. Mr. Gandhi said that he thought it desirable to forward their recommendation to Government at once, so that a decision might be reached and pending legislation stopped as soon as possible. Mr Adami pointed out that the legislation would take time and the President added that Government would probably decide first to publish the Committee's report and give time to the public and the parties to consider the proposals. It would facilitate the preparation of the report and possibly increase the chance of Government being able to arrive at a decision if Mr Gandhi could put before the Committee the reduction to which he was prepared to go. Mr Gandhi said that he would go through the figures again and give his minimum figure.

Minutes of Champaran Committee Meeting

September 27, 1917

Messrs Irwin, Hill and Norman to be summoned to Ranchi to consider three alternatives:

A. Each should state the percentage by which he is prepared to reduce the sharahbeshi, on conditions:

- (1) That it should be a substantial advance on their previous offer; any advance made by the planters will be accepted as being substantial, in the hope of mutual goodwill in the future
- (2) That this will be fully accepted by Mr. Gandhi as a satisfactory settlement and that he will use his influence fully with the raiyats to make them loyally accept it and to bring about future peace in the relations of planters and their tenants

- (3) That fully binding effect will be given to the settlement by legislation.

B. Failing the above, the question of sharahbeshi should be submitted to arbitration. Such arbitration to be conducted on one or other of the following alternatives:

- (1) The appointment of a single arbitrator, who shall have the power to arbitrate between the limits of reduction of 20 and 40 per cent for Tukaulia and 25 and 40 per cent for Motihari and Peeprah. Such arbitrator to be selected with mutual agreement of planters and of Mr Gandhi.
- (2) The appointment of three arbitrators, one to be appointed by the planters, one by Mr. Gandhi and the umpire to be appointed by these two, and failing agreement between these two, the umpire to be appointed Sir Edward Gait. The arbitration court so appointed shall have power to arbitrate between the limits of no reduction at all and a full reduction of 100 per cent. The arbitrators to be informed that for a settlement by consent the planters have offered a reduction of 20 per cent in Turkaulia and 25 per cent in Motihari and Peeprah, and that Mr. Gandhi on behalf of the raiyats has offered to accept reduction of 40 per cent, but that those offers are — now withdrawn and the arbitrators have full power to make any award they may settle.

Under both alternative, condition (2) and (3) of A will apply.

In addition under all the proposals, it shall be a condition that the existing obligation recorded in the settlement records? shall be abolished and that in lieu thereof sharahbeshi shall be fixed at the rate at which it would have stood had commutation in their case taken place

together with the others, less reduction that may be agreed upon or awarded the arbitration.

Under proposals for arbitration, both the planters and Mr. Gandhi would submit written statements of their case, and both would have the option of submitting a written reply to such statements. The parties will not be permitted to be represented by counsel or to be heard personally as of right. The arbitrator or arbitrators to have the power to call for any papers they may desire, to question the planters or any other person, and to give their award within one week of the filing, of the written statements and rejoinders of the parties.

Agreement Signed between Gandhiji and Leading Planters

September 29, 1917

Under clause A it has been agreed between Messrs Hill Norman and Irwin and Mr Gandhi that the sharahbeshi shall be reduced by

- (1) 26 per cent in Motihari, Ltd. and Peeprah concerns and
- (2) 20 per cent in the Tarkaulia, Ltd Conditions. (2) and (3) shall apply.

This settlement to take effect from the commencement of the year 1325 Fasli, rents for previous years to remain at Survey Settlement rates. The existing indigo obligation recorded in survey records should be abolished from the commencement of 1325 Fasli and in lieu sharahbeshi shall be fixed at the rate at which it would have stood had commutation in their cases taken place together with the others less the reduction now agreed upon.

M.K. Gandhi

J.B. Norman,
Manager, Peeprah Concern

W.S. Irwin,
Manager, Motihari Ltd.
J.L. Hill,
Manager, Turkaulia Ltd.

Report of Champaran Agrarian Enquiry Committee

October 2, 1917

CONSTITUTION AND PROCEDURE OF THE APPOINTMENT OF COMMITTEE AND TERM OF REFERENCE

The Champaran Agrarian Enquiry Committee was appointed by the Government of Bihar and Orissa in Resolution No. 1890 C, dated the 10th June, 1917, which is reproduced below:

“On various occasions during the past fifty years, the relations of landlords and tenants and the circumstances attending the growing of indigo in the Champaran district have been the cause of considerable anxiety. The conditions under which indigo was cultivated when the industry was flourishing required readjustment when it declined simultaneously with a general rise in the prices of foodgrains; and it was partly on this account and partly owing to other local causes that disturbances broke out in certain indigo concerns in 1908. Mr. Gourlay was deputed by the Government of Bengal to investigate the causes of the disturbances; and his report and recommendations were considered at a series of conferences presided over by Sir Edward Baker and attended by the local officers of Government and representatives of the Bihar Planters’ Association. As the result of these discussions, revised conditions for the cultivation of indigo, calculated to remove the grievances of the raiyats, were accepted by the Bihar Planters’ Association.

"In 1912 fresh agitation arose, connected not so much with the conditions under which indigo was grown as with the action of certain factories which were reducing their indigo manufacture and taking agreements from their tenants for the payment, in lieu of indigo cultivation, of a lump sum in temporarily-based villages or of an increase of rent in villages under permanent lease. Numerous petitions on this subject were presented from time-to-time to the local officers and to Government, and petitions were at the same time filed by raiyats of villages in the north of the Bettiah sub-division in which indigo had never been grown, complaining of the levy of abwab or illegal additions to rent by their leaseholders, both Indian and European. The issues raised by all these petitions related primarily to rent and tenancy conditions; and as the revision settlement of the district was about to be undertaken, in the course of which the relations existing between landlords and tenants would come under detailed examination, it was thought advisable to await the report of the settlement officers before passing final orders on the petitions. The revision settlement was started in the cold weather of 1913. On the 7th April, 1915, a resolution was moved in the local Legislative Council, asking for the appointment of a mixed committee of officials and non-officials to enquire into the complaints of the raiyats and to suggest remedies. It was negatived by a large majority, including 12 out of the 16 non-official members of the Council present, on the ground that the appointment of such a committee at that stage was unnecessary, as the settlement officers were engaged in the collection of all the material required for the decision of the questions at issue, and an additional enquiry of the nature proposed would merely have the effect of further exacerbating the relations of landlord and tenant, which were already feeling the strain of the settlement operations.

The settlement operations have now been completed in the northern portion of the district and are approaching

completion in the remainder, and a mass of evidence regarding agricultural conditions and the relations between landlords and tenants has been collected. A preliminary report on the complaints of the tenants in the leased villages in the north of the Bettiah subdivision, in which no indigo is grown, has been received and action has already been taken to prohibit the levy of illegal cesses and, in the case of the Bettiah Raj, to review the terms of the leases on which the villages concerned are held. As regards the complaints of the raiyats in other parts of the district, the final report of the settlement officer has not yet been received, but recent events have again brought into prominence the whole question of the relations between landlords and tenants and, in particular, the taking of agreements from the raiyats for compensation or for enhanced rent in return for the abandonment of indigo cultivation. In these circumstances, and in deference to representations which have been received from various quarters that the time has come when an enquiry by a joint body of officials and non-officials might materially assist the Local Government in coming to a decision on the problems which have arisen, the Lieutenant Governor-in-Council has decided, without waiting for the final report of the settlement operation to refer the questions at issue to a Committee of Enquiry, on which all interests concerned will be represented.

“The following committee has accordingly been appointed with the approval of the Government of India:

President

F.G. Sly, Esq , C.S.I., Commissioner, Central Provinces.

Members

The Hon'ble Mr. L.C. Adami, I.C.S., Superintendent and Remembrancer of Legal Affairs, Bihar and Orissa.

The Hon'ble Raja Harihar Prasad Narayan Singh, Member of the Bihar and Orissa Legislative Council.

The Hon'ble Mr. D.J. Reid, Member of the Bihar and Orissa Legislative Council.

G. Rainy, Esq., I.C.S., Deputy Secretary in the Finance Department of the Government of India,

M.K. Gandhi, Esq.

Secretary.

EX. Tanner, Esq., I.C.S., Settlement Officer, South Bihar. The duty of the Committee will be:

- (1) to inquire into the relations between landlord and tenant in the Champaran district, including all disputes arising out of the manufacture and cultivation of indigo;
- (2) to examine the evidence on these subjects already available, supplementing it by such further inquiry, local and otherwise, as they may consider desirable; and
- (3) to report their conclusions to Government, stating the measures they recommend in order to remove any abuses or grievances which they may find to exist.

"The Lieutenant-Governor-in-Council desires to leave the Committee a free hand as to the procedure they will adopt in arriving at the facts.

"The Committee will assemble about the 15th July and will, it is hoped, complete their labours within three months."

Procedure Followed by the Committee

A notice was published by the Committee in the provincial newspapers and posted at the Motihari Collectorate and the Bettiah Sub-divisional Office, inviting all persons, associations and public bodies who desired to give written evidence to send the same to the address of the Secretary

of Committee, and stating that the Committee would hold sittings at Bettiah, Motihari and any other centres where it was considered necessary, commencing about the 15th July.

In response to this notice, written statements were received from the Bihar Planters' Association and two managers, one of an indigo and the other of a non-indigo concern, from twenty-five raiyats, from Mr. Whitty, CLE., I.C.S., Manager of the, Bettiah estate, and from Mr. Sweeney, I.C.S., Settlement Officer, North Bihar, Mr. Lewis, I.C.S., Sub-divisional Officer of Bettiah, Mr. L.F. Morshead, I.C.S., Commissioner of Tirhut, and Mr. E. H. Johnson, I.C.S., formerly Sub-divisional Officer of Bettiah. The Bihar Landholders' Association Was specially invited to submit a memorandum of its views, but replied that it was not in possession of the materials and facts concerning the agrarian conditions in Champaran and was not therefore in a position to submit a written opinion.

The Committee held a preliminary meeting at Ranchi on the 11th July to decide the procedure und extent of its inquiry, and its public sittings commenced at Bettiah and Motihari at which nineteen witnesses were examined, consisting of four Government officers (the Settlement Officer, the Sub-divisional Officer of Bettiah, the Collector of the Champaran district, and the Manager of the Bettiah estate), three representatives of the raiyats, the representative of the Bihar Planters' Association, and twelve managers of concerns. We also made local investigations at eight concern, where we examined in detail the managers together with the factory registers and accounts and the raiyats who had submitted written memoranda, and then made numerous enquiries from the large bodies of raiyats assembled to meet us. We desire to acknowledge the great assistance derived by us from the official records placed at our disposal by the local Government and the full information given to us by the managers of concerns and

the facilities afforded by them for the examination of their records and registers.

Order-in-Council

October 6, 1917

The report of the Champaran Agrarian Enquiry Committee was discussed in the Council this afternoon, and it was decided to accept generally the Committee's recommendations, and to take steps to give them prompt effect by the issue of a resolution and of necessary executive orders, and by emergent legislation.

Ordered—That a draft resolution on the lines indicated in the course of the discussion be prepared with the least possible delay.

The Champaran Agrarian Bill, 1917

(AS PASSED IN COUNCIL)

A

BILL

TO

SETTLE AND DETERMINE CERTAIN AGRARIAN DISPUTES IN THE DISTRICT OF CHAMPARAN

Whereas it is expedient to settle and determine disputes subsisting in the district of Champaran between landlords and tenants holding under them regarding certain matters. And whereas the previous sanction of the Government of India has been obtained under section 79 of the Government of India Act, 1915, to the passing of this Act:

Short Title and Extent

- (1) This Act may be called the Champaran Agrarian Act, 1918.

- (2) It extends to the district of Champaran.

Interpretation Clause

In this Act all words and expressions defined in the Bengal Tenancy Act, 1885, shall have the meanings assigned to them respectively in that Act, and the expression "record-of-rights" shall mean the record-of-rights finally published under subsection (2) of section 103 of the Bengal Tenancy Act, 1885.

Abolition of Certain Conditions and Incidents

- (1) On and after the commencement of this Act any agreement, lease or other contract between a landlord and a tenant holding under him which contains a condition to set apart the land of his tenancy or any portion thereof for the cultivation of a particular crop shall be void to the extent of such condition:

Provided that if the tenant has in consideration of such condition received any advance under an agreement, lease or contract entered into prior to the commencement of this Act, he shall be bound to refund such advance or if the condition has been partially fulfilled, such proportion of that advance or if the condition has been partially fulfilled, such proportion of that advance as represents the unfulfilled portion of the condition, and the amount of the said advance or proportion thereof which he is bound to refund shall be determined by an authority to be prescribed by the Local Government and the order of such authority shall be final and shall, on application to a civil court, be enforceable as a decree for rent payable in respect of the said tenancy.

- (2) On and after the commencement of this Act, a special condition or incident of a tenancy to set apart the land of the tenancy or any portion

thereof for the cultivation of a particular crop shall not be valid to any extent.

Alteration of Rent in View of Such Abolition and Note of the Resulting Rent in the Record-of-Rights

- (1) (a) Where, in consideration of the release of tenant from a condition, special condition or incident of the nature described in section 3, the rent payable by such tenant has, prior to the first day of October, 1917, been enhanced, the amount of such enhancement shall, with effect from the said date, be reduced by twenty per centum in the case of rent payable to Turkaulia Limited, and by twenty-six per centum in all other cases;
- (b) Where a special condition or incident of the nature described in sub-section (2) of section 3 has been entered in the record-of-rights in respect of a tenancy, the entry of such special condition or incident shall be cancelled and the rent of the tenancy shall, with effect from the first day of October, 1917, be enhanced to an extent proportionate to the reduced enhancement allowed under clause (a) in respect of tenancies in the same village or in neighbouring villages belonging to the same landlord.
- (2) A note of the rent of a tenancy resulting from reduction under clause (a) or enhancement under clause (b) of sub-section (1) of the cancellation under clause (b) of that sub-section of an entry and of a special condition or incident shall be made in the record-of-rights and such note shall, with effect from the 1st day of October, 1917, be deemed part of the record-of-rights and be conclusive evidence of the amount of such rent.
- (3) The Local Government may by rule prescribe:

- (a) the authority by whom the proper amount of reduction and of enhancement under the provisions of sub-section (1) and the resulting rent of the tenancy shall be determined in each case;
 - (b) the authority by whom the note referred to in subsection (2) shall be made;
 - (c) the procedure to be followed by any such authority.
- (4) The decision of the authority prescribed under clause (a) of sub-section (3) shall be final as regards:
- (a) whether the rent payable by a tenant has been enhanced in consideration of the release of the tenant from a condition, special condition or incident of the nature described in section 3, and the amount of such enhancement;
 - (b) whether any entry in the record-of-rights is an entry of special condition or incident of the nature described in sub-section (2) of section 3;
 - (c) the amount of rent to be noted in the record-of-rights under the provisions of sub-section (2); and the correctness of any such decision shall not be contested in any suit or proceeding in any court.
- (5) In the case of any tenant referred to in clause (a) of sub-section (1), the finally-published entry in the record-of-rights of the rent of his tenancy shall, in any suit or proceeding for the recovery of an arrear or rent which accrued due thereon prior to the first day of October 1917, be conclusive evidence of the amount of the yearly rent payable in respect of such tenancy from the date from which the enhancement took effect to the end of the Fasli year 1324.

This sub-section shall also apply to such suits and proceedings pending at the commencement of this Act.

Saving of Certain Short-term Contracts to Deliver a Specified Weight of a Particular Crop

6. Nothing in this Act shall prevent a tenant from contracting to deliver to his landlords a specified weight of a particular crop to be grown on the land of his tenancy or any portion thereof:

- (1) That any claim for damages for the breach of such contract shall be based on a failure to deliver the specified weight and not on a failure to cultivate any portion of land;
- (2) That the term of such contract shall not exceed three years; and
- (3) That the value of the produce to be supplied shall be determined by weighment thereof or by appraisement by arbitrators of the weight thereof.

**Provisions to have Effect Notwithstanding
Any other Enactment**

7. The provisions of this Act shall have effect notwithstanding anything contained in any other enactment.

The following orders were passed by the Lieutenant-Governor.

- (1) That the *tinkathia* be abolished and considered illegal.
- (2) That the contracts entered into between ryots and indigo concerns for growing indigo or other crops will absolutely depend on their consent.

That the terms of such contracts shall not be more than for three years.

That the money which will be paid under such contracts shall be according to the weight of the indigo plants. When both the parties agree the price on the weight will be determined by arbitrators.

That money should not be paid at a rate less than that fixed by the Planters' Association from time-to-time and approved by the Commissioner.

That no contract will make any tenant liable for growing indigo in any particular plots of his land.

3. That the Turkaulia, Motihari and Peepra concerns have agreed that the *sharahbeshi* taken by them will be reduced up to 20 per cent in the case of Turkaulia concern and by up to 26 per cent in the case of Motihari and Peepra, from 1st Aswin 1325. In the case of the two remaining concerns also, namely, Jallah and Sirni where *sharahbeshi* has been taken, it will be reduced by 26 per cent.

4. That in those concerns where *sharahbeshi* has not been taken and the names of the ryots are entered on this condition that they are bound to grow indigo, these conditions will be abolished and in lieu thereof *sharahbeshi* will be assessed after reduction at the rate stated above and it will take effect from 1st Aswin 1325.

5. That the manager of the Bettiah Raj will not renew the leases of those villages in which *tawan* has already been taken but he can renew in case where 25 per cent of the *tawan* taken is refunded and that shall be distributed by that *raj* among the tenants as a part of the *tawan* refunded.

That in those leased villages in which *tawan* has been taken, so long as the full *tawan* realized is not refunded the Bettiah Raj should forgo for seven years any enhancement which may have been or may be granted in the Settlement Courts in the case of those ryots from whom *tawan* has been taken.

7. That all concerned are hereby informed that *abwabs* are illegal and that it is not necessary for any tenant to pay to his *malik* or his *amla*, on their demand, anything in excess of his rent and cess finally entered in the Settlement

Khatian. He is entitled to get a receipt for rent and cess without payment of any fees, *taharir* or *hisahana*.

8. That the Bihar Plahters' Association will be required to fix the minimum rate of wages of labourers required by the concerns and to send this rate to the Commissioner for approval.

9. That the Bihar Planters' Association will also be requested to fix a proper rate of hire for the *sattas* relating to carts and to make a rule according to which a contract will be for not more than three to five years according to the amount advanced.

The Champaran Agrarian Act received the final assent of the Governor-General on 1 May 1918.

Calcutta Congress, 1917

The thirty-second session of the Indian National Congress was held on 26-29 December 1917 in Calcutta under the presidentship of no less a prominent leader than Mrs. Annie Besant who by this time had become a leader of All-India fame on account of her remarkable political, social and cultural work in the Theosophical Society as well as in the Home Rule Movement. This was the fourth year of the First World War which had spread in numerous global centres with involvements of the prominent powers which were pitched against one another to achieve their desired territorial, colonial and economic ends.

The policy of the Congress for the last thirty years since its foundation in 1885, had been to disengage itself from the aggressive postures leading to a movement of any kind. Earlier the agitations launched in Bengal and elsewhere did not touch each and every region of India. Probably it was so that no national leader could ever mobilize the masses at a scale which could influence all the regions of the country. Even when Gandhi landed in India in 1915, he thought of cooperating with the government during the war and not to launch any movement which might put its administrative machinery into hazards and complexities. But the Congress did not postpone its earlier regular programme of holding its annual session with a huge attendance. In 1917, the total number of delegates who attended the Calcutta Congress was 4967 and the chairman of the reception committee was Baikunthe Nath Sen.

The chairman of the reception committee dwelt upon the past glory of the Congress, its aims and objects and the significance of the problem facing this organization. 'In the history of this national institution it has never been confronted with grave and more difficult problems; our responsibilities have never been heavier. Since its inauguration thirty-two years back, under the inspiration and able guidance of some of our most distinguished friends and patriots, as a small and unpretentious organisation for focusing official attention upon only a few among many of our irritating and clamant political grievances and for educating public opinion both in India and England, and during the whole period of its vigorous adolescence, it has never had to tackle more momentous, more complicated and more perplexing constitutional question question fraught with such immense possibilities for the destinies of the people. Our fate is in the making as it were, and the future of succeeding generations of Indians will depend, to some extent at least, upon our deliberations in this hall and our activities outside it. At such a supreme hour in our national existence one naturally deplores the absence from our ranks of the illustrious leaders of the past to whose wise counsel and selfless devotion the Congress owes all its present development and all its power.'

Elaborating the mode of recruitment in army followed by the British government in India, the chairman was critical of the fact that numerous communities in the country have been termed as non-martial. This greatly affected a huge manpower which otherwise might have found the opportunities of employment thereby affording them a convenient chance to better their economic status.

'After 150 years of British Rule one finds to one's surprise and sorrow that the martial instinct is practically dead throughout the country except in particular areas and among particular classes. Whole provinces and whole races have been characterized as non-military, and recruitment,

notwithstanding our repeated and earnest protests, has been confined within very narrow limits. People have forgotten the use of arms, thanks to the operation of the Indian Arms Act—so much so that most of them have come to develop quite a fear for firearms. It is contended by the Anglo-Indian press that the free and unrestricted use of firearms can never make a nation martial, and Americans are referred to any way of illustration. The fallacy of the argument is obvious. It is vitiated by a disregard of the fact that it is one thing for a nation to develop to devote its energies to the pursuit of peaceful occupations in preference to the military, and it is quite another thing for people to become unfit for a military career through demoralization. It would be preposterous to suggest that in the United States of America, the proper material is absent. The bulk of the people are Europeans in origin, providing as good material for service in the field as any in the world. If Americans are not martial, it is because they find profit in other spheres of activity. No conclusions can legitimately be drawn either for or against the main proposition from the absence of an Arms Act in the United States of America. Even if there was any force or point in the contention which there is none, volunteering must be admitted to be a powerful lever for keeping the nation at a proper level of fitness for military service. But what has been the policy of our rulers in this matter? Have the earnest appeals of the people for admission into the volunteer units been heeded? No, the responsibility of our present helpless condition must rest with government.'

The decay of cottage industry and the exploitation of the natural resources for the benefit of the British and the pitiable plight of thousands of Indian indentured emigrants were discussed by the chairman who warned the government of the serious situation it might take in the time to come. This location of the ancient village organisation and decay of cottage industries through the evils of a "wooden and inelastic," and one might add "unimaginative, administration and European competition and European

exploitation of India's resources, are potent contributory causes of the general exploitation of India's resources, and causes of the general dissatisfaction. "The inglorious record of oversea indentured emigration and the treatment accorded to our countrymen in the colonies have certainly not soothed the feelings of the people. The recent incident in British East Africa only aggravates the humiliation and the bitterness.'

The chairman mentioned in detail various repressive measures used by the government against the growing sentiments of Indian nationalism giving rise to the feeling of patriotic fervour. Before these feelings could develop or sprout, they were crushed very severely with the promulgation of Seditious Meetings Act, the Crimes Act, the Indian Press Act, Defence of India Act, Regulation III of 1818, Madras Regulation II of 1819 and Bombay Regulation XXXV of 1827. Indeed the internment was a standing grievance of the people.

"That the treatment accorded to the detenus is capable of improvement appears from the repeated complaints in the press. The hunger strike among the state prisoners in the Alipur Central Jail is of the utmost moment, and ought to arrest public attention. The laws are bad enough in all conscience; their operation is rendered harsher still by their administration in a manner opposed to the general policy and the detailed provisions. The detention of State prisoners in solitary confinement in jails, the worst form of imprisonment provided, in the Penal Code—absolutely lacks justifications in principle and text, precedent and expediency. Cells intended for "B Class Habituals" are certainly not fit place for State prisoners. The hunger-strike ought to have for men the subject of special investigation by at least the non-official visitors of the jail. But we find instead the authorities have adopted the extraordinary course of removing the strikers to Allahabad and other places. That was about the most unsatisfactory method of

dealing with so serious a situation. It is time the fact was faced—that the whole policy must be changed before the public will be satisfied in a land where the law is respected as religion.’

The chairman laid stress on cooperation-cordial and whole-hearted cooperation and the problem of securing public cooperation by the British authorities with the sympathy and courage for which ‘British statesmanship has ever been distinguished.’ ‘More important than all this, however, is the introduction of constitutional reforms in consonance with the principle of responsible government for India announced by His Majesty’s Government. Brother delegates, we have outgrown the lines for our development fixed by past Congress. Even within the years our ideas have expanded with marvelous rapidity. About this time last year our thoughts were concentrated upon the speedily expansion of representative government of India. This time the main problem before us is, how best to introduce responsible government in this country containing elements of automatic development? Responsible government is the natural corollary and end of representative government, it is true, but the idea was absent last year of starting with responsible government. The world indeed is moving along at a giddy pace, as Mr. Lloyd George pointed out and we have covered the track of centuries in as many weeks.

‘It is a question indeed how far the idea of granting responsible government in stages is sound. The weight of reason and experience, and perhaps of authority is in favour of full responsible government in the internal administration of the country. But should such a scheme have to be abandoned for the present, let us at least have the foundations of real self-government, let us have a scheme such as in the natural process of evolution will lead to the introduction within a reasonable time of the colonial form of self-government. We hope we shall not be disappointed.’

The president of the Congress started his speech in a romantic setting and explained the problems of India in fairly comprehensive speech. 'While I was humiliated, you crowned me with honour, while I was slandered, you believed in my integrity and good faith; while I was crushed under the heel of bureaucratic power, you acclaimed me as your leader; while I was silenced and unable to defend myself, you defended me, and won for me release. I was proud to serve in lowliest fashion, but you lifted me up and placed me before the world as your chose representative.'

She gave her opinion about the First World War in which Great Britain had participated in all its fronts. Therefore it is necessary that the war shall be fought out to its appointed end, and that premature peace shall leave its object unattained. Autocracy and bureaucracy must perish utterly, in East and West, and in order that their germs may not re-sprout in the future, they must be discredited in the minds of men. They must be proved to be less efficient than the governments of free peoples, even in their iron machinery-which at first brings outer prosperity and success must be shown to be less lasting and effective the living and flexible organisations of democratic peoples. They must be proved failures before the world, so that the glamour of superficial successes may be destroyed for ever. They have had their day and their place to evolution, and have done their educative work. Now they are out-of-date, unfit for survival, and roust vanish away.

'India, with her clear vision, saw in Great Britain the champion of freedom, in Germany the champion of despotism. And she was rightly-rightly she stood by Great Britain, despite her own lack of freedom and the coercive legislation which out-rivalled German despotism, knowing these to be temporary, because un-English, and therefore, doomed to destruction; she spurned the lure of German gold and rejected German appeals to revolt. She offered men and money: her educated classes, her Vakils, offered themselves

as volunteers, pleaded to be accepted. Then the never sleeping distrust of Anglo-India rejected the offer pressed for money, rejected men, and, slowly, educated India sank back, depressed and disheartened, and a splendid opportunity for knitting together the two nations was lost.

‘Ever since the Government of India was taken over by the Crown, India has been regarded as an Imperial military asset and training ground, a position from which the jealousy of the East India Company had largely protected her by insisting the army it supported should be used for the defence and in the interests of India alone. Her value to the Empire for military purposes would not so seriously have injured at once her pride and her finances, if the natural tendencies of her martial races had been permitted their previous scope; but the disarming of the people, 20 years after the assumption of the Government by the Crown, emasculated the nation, and the elimination of races supposed to be warlike, or in some cases too warlike to be trusted, threw recruitment more and more to the north, and lowered the physique of the Bengalis and Madrasis on whom the Company had largely depended.

‘The financial burden incurred in consequence of the above conflicts, and of other causes, now to be mentioned, would not have been so much resented, if it had been imposed by India on herself, and if her own sons had profited by her being used as a training ground for the Empire. But in this case, as in so many others, she has shared Imperial burdens, while not sharing Imperial freedom and power. Apart from this, the change which made the Army so ruinous a burden on the resources of the country was the system of “British” reliefs,” the using of India as a training ground for British regiments, and the transfer of men thus trained to be replaced by new ones under the short service system, the cost of the frequent transfers and their connected expenses being charged on the Indian revenues, while the whole advantage was reaped by Great Britain.

‘The taxes levied to meet the calculated deficit will by no means suffice to fill up the great gulf now yawning before us. On whom will those taxes be levied? It is not unlike that those zamindars who have been allying themselves with officials and English non-officials against their countrymen, may find themselves disappointed in their allies, and may begin to realise by personal experience the necessity of giving to Indian legislatures, in which they will be fully represented, control over national expenditure.’

The new spirit in the shape of new ideas reawakening amongst the people of India was attributed to numerous causes. These causes were due to the natural exchange of thought between East and West, the influence of the systematic spread of English education, literature and ideals, the effect of travels in Europe, United States of America and South East Asia, the awakening of Asia; discussions abroad on alien rule and Imperial reconstruction; loss of belief in the superiority of the white races, the awakening of the merchants; the awakening of the women to claim their ancient position, and last but not the least, the awakening of the masses.

‘Each of these causes has had its share in the splendid change of attitude in the Indian Nation, in the uprising of spirit of a pride of country of independence, of self-reliance, of dignity, of self-respect. The war has quickened the rate of evolution of the world, and no country has experienced the quickening effect more than our Motherland.’

‘But the present movement in India will be very poorly understood, if it be regarded only in connection with the movement in the East. The awakening of Asia is part of a world movement, which has been quickened into marvellous rapidity by the world war.

‘But even if she gains Home Rule, as I believe she will, her position in the Empire will imperatively demand that

she shall be strong as well as free. She becomes not only a vulnerable point in the Empire, as the Asian Nations evolve their own ambitions and rivalries, but also a session to be battled for, Mr. Laing once said: "India is the milch-cow of England," a *Kamdhenu*, in fact, a cow of plenty: and if this view should arise in Asia, the ownership of the milch-cow would become a matter of dispute, as of old between Vasishta and Vishvamitra. Hence India must be capable of self-defence both by land and sea. There may be a struggle for the primacy of Asia, for supremacy in the oacific, for the mastery of Australia, to say nothing of the inevitable trade struggles, in which Japan is already endangering Indian industry and Indian trade, while India is unable to protect herself.

'Englishmen in India must give up the idea that English dominance is necessary for protection of their interests, amounting, in 1915, to £ 365, 3993, 000 sterling. They do not claim to dominate the United States of America, because they have invested there about £ 269,808,000. Why then should they claim to dominate India on the ground of their investment? Britons must give up the idea that India is a possession to be exploited for their own benefit, and must see her as a friend and equal, a Self-Governing Dominion within the Empire, a nation like themselves, a willing partner in the Empire, and not a dependent. The democratic movement in Japan, China, Russia and in Asia has sympathetically affected India, and it is idle to pretend that it will cease to affect her.

'India for all these reasons, was forced to see before her a future of perpetual subordination: the Briton rules in Great Britain: the Frenchman in France, the American in America, each Dominion in its own areas, but the Indian was to rule nowhere: alone among the peoples of the world, he was not to feel his own country as his own. Britain for the British" was right and natural; "India for the Empire," or not even for the Empire, but for the rest of the Empire,"

careless of herself. "British support for British trade" was patriotic and proper in Britain, "Swadeshi goods for Indians showed a petty and anti-Imperial spirit in India. The Indian was to continue to live perpetually, and even thankfully, as Gopal Krishna Gokhale said he lived now, in "an atmosphere of inferiority," and to be proud to be a citizen (without rights) of the Empire, while its other component Nations were to be citizens (with rights) in their own countries first, and citizens of the Empire secondarily. Just as this trust in Great Britain was strained nearly to breaking point came the glad news of Mr. Montagu's appointment as Secretary of State for India, of the Viceroy's invitation to him, and of his coming to hear for himself what India wanted. It was a ray of sunshine breaking through the gloom, confidence in Great Britain revived, and glad preparation was made to welcome the coming of a friend.'

The awakening of the masses was also discussed during her speech. She was sure that the Home Rule had touched the ryot through his village life. In fact the ryot resented the rigid payment of tax in money as his financial resources were poor which hardly enabled him to subsist. He also resented the frequent resettlements which forced him to borrow from the money-lender to meet the higher claim. He wanted the old panchayat back again; he wanted that his village should be managed by himself and his fellows and he wanted to get rid of the tyranny of officials.

'We cannot leave out of the causes which have helped to awaken the masses, the influence of the co-operative movement, and the visits paid to villages by educated men for lectures on sanitation, hygiene and other subjects. Messrs. Moreland and Ewing, writing in the *Quarterly Review*, remarked:

'The chance of attitude on the part of the peasant coupled with the progress made in organisation mainly through the cooperative propaganda, is the outstanding achievement of the past decade, and at the same time

the chief ground for the recent confidence with which agricultural reformers can now face the future.

‘In many parts of the country, where Conferences are carried in the vernacular, the raiyats attend in large numbers, and often take part in the practical discussions on local affairs. They have begun to hope, and to feel that they are a part of the great National Movement, and that for them also a better day is dawning.

‘The submerged classes have also felt the touch of a ray of hope, and are lifting up their place in the Household of the Mother. Movements, created by themselves, or originating in the higher castes have been stirring in them a sense of self-respect. The Brahmanas awakening to a sense of their long-neglected duty, have done much to help them, and the prospect of their future brightens year by year’.

While discussing the fundamental reason for the demand of Home Rule, Mrs. Besant talks of India’s rights.

‘It is not a question whether the rule is good or bad, German efficiency in Germany is far greater than English efficiency in England; the Germans were better fed, had more amusements and leisure, less crushing poverty than the English. But would any Englishman therefore desire to see Germans occupying all the highest positions in England? Why not? Because the righteous self-respect and dignity of the free man revolt against forcing domination, however superior. As Mr. Asquith said at the beginning of the war, such a condition was “inconceivable and would be intolerable”. Why then is it not felt by all Indians to be intolerable? It is because it has become a habit, bred in us from childhood, to regard the saheb-lok as our natural superiors, and the greatest injury British rule has done to Indians is to deprive them of the natural instinct born in all free people, the feeling of an inherent right to self-determination, to be themselves Indian dress, Indian food,

Indian ways, Indian customs are all looked on as second rate; Indian mother-tongue and Indian literature cannot make an educated man. Indians as well as Englishmen take it for granted that the natural rights of every Nation do not belong to them; they claim "a larger share in the government of the country", instead of claiming the government of their own country, and they are expected to feel grateful for "boons" for concessions. Britain is to say what she will give. The whole thing is wrong, topsy turvy, irrational. Thank God that India's eyes are opening; that myriads of her people realize that they are men, with a man's right to freedom in his own country, a man's rights to manage his own affairs. India is no longer on her knees for boons; she is on her feet for Rights. It is because I have taught this, that English in India misunderstand me, and call me seditious; it is because I have taught this, that I am President of this Congress today.

"This may seem strong language, because the plain truth is not usually put in India. But this is what every Briton feels in Britain for his own country, and what every Indian should feel in India for his. This is the Freedom for which the Allies are fighting; this is Democracy, the Spirit of the Age. And this is what every true Britain will feel is India's right, the moment India claims it for herself, as she is claiming it now. When this Right is gained, then will the tie between India and Great Britain become a golden link of mutual love, and service, and the iron chain of a foreign yoke will fall away. We shall live and work side by side with no sense of distrust and dislike, working as brothers for common ends. And from that union shall arise the mightiest Empire, or rather Commonwealth, that the world has ever known, a Commonwealth that, in God's good time, shall put an end to war.

'All we say in the matter is: You have not succeeded in bringing education, health, prosperity, to the masses of the people. Is it not time to give Indians a chance of doing,

for their own country, work similar to that which Japan and other Nations have done for theirs. Surely the claim is not unreasonable. If the Anglo-Indians say that the masses are their peculiar trust and that the educated classes care not for them, but only for place and power then we point to the Congress, to the speeches and the; resolutions eloquent of their love and their knowledge. It is not their fault that they gaze on their country's poverty in helpless despair. Or let Mr. Justice Rahim answer:

‘As for the representation of the interests of the many scores of millions in India, if the claim be that they are better represented by European officials than by educated Indian officials or non-officials, it is difficult to conceive how such reckless claim has come to be urged. The inability of English officials to master the spoken languages of India and their habits of life and modes of thought so completely divide them from the general population, that only an extremely limited few, possessed with extraordinary powers of insight, have ever been able to surmount the barriers. With the educated Indians, on the other hand, this knowledge is instinctive, and the view of religion and custom, so strong in the East, make their knowledge and sympathy more real than is to be seen in countries dominated by materialistic conceptions.

‘And it must be remembered that is not lack of ability which has brought about bureaucratic inefficiency for British traders and producers have done uncommonly well for themselves in India. But a bureaucracy did not concern itself with the happiness of the Russian masses, but with their obedience and their paying of taxes. Bureaucracies are the same everywhere, and therefore it is the system we wage war upon, not the men; we do not want to substitute Indian bureaucrat for British bureaucrats; we want to abolish bureaucracy, Government by civil servants.’

Mrs. Besant stated sarcastically about the working of mind of the *Raj* that India was unfit for democratic

institutions, having always lived under absolute rule of sorts. She opined that these were not the views of historians but the views of the members of the Indian, Civil Service. As well said, in the address presented to the Viceroy and E.S. Montagu, the Secretary of State, by the Home Rule Leagues.

"The argument that democracy is foreign to India cannot be alleged by any well informed person. Maine and other historians recognise the fact that Democratic Institutions are essentially Aryan peoples, Panchayats, the "village republics," had been the most stable institution of India, and only vanished during the last century under the pressure of the East Indian Company's domination. They still exist within the castes, each caste framing within itself a thorough democracy, in which the same man may have as relations a prince and a peasant; Social rank does not depend so much on wealth and titles, as on learning and occupation. India is democratic in spirit, and in institutions left to her from the past under her control in the present."

The development of the panchayat system in the villages was emphasised by the Congress president. "Village needs would thus be made known, and if necessary they could be represented by the panchayat to a higher authority. The village would become articulate through its Panchayat, and would no longer be the dumb and often driven creature which it is today. And it would be brought into touch with the larger life. The Panchayat might invite lecturers, organise discussions, arrange amusements, games, etc. All village life would be lifted to a higher level, widened and enriched by organisation, and each village, further, forming one of a group of villages, would realise its unity with others, and thus become an organ of the larger corporate life."

"The corresponding unit in the town to the village in the country is the ward, and the ward panchayat, like the village one, should be elected by the household suffrage. All towns with population over 5,000 should have ward

panchayats under control of the municipality. Below that population, a ward panchayat would be the only municipal authority. These ward councils should take up the smaller town makers, now neglected because the municipality is too heavily burdened to attend to them properly. The elementary schools in each ward should be in its charge; scavenging and sanitation generally, and care for the cleanliness of the streets and latrines; provision and superintendence of stands for hire vehicles and resting carts, with water-troughs for horses and cattle; the inspection of foodstuffs and prevention of adulteration; arbitration in small disputes as in France where so much litigation is prevented by the appointment of a small tradesman as a local judge-inspection of workshop wells, etc., all these matters would naturally fall into the hands of the ward councils. Where there is a municipality, that body would delegate to the ward council such matters as it thought fit.

‘What is to be our new objective? We have to formulate a scheme to carry out the third part of the Congress resolution; we can do this only so far as British India is concerned: (i) The place of the Indian states will have to be considered by the United Kingdom in the light of the treaties existing between the paramount power and the princes. So far as British India is concerned, we have to see that no arrangement is made to affecting it, which admits to any voice in our Councils and Prince who retains absolute power within his own State, or who is not ruling on lines similar to those adopted within British India, (ii) With regard to any Central Imperial Authority, whatever it may be, India must have a position commensurate with her importance in the Empire, otherwise she will be ruled by the United Kingdom and the Dominions in all Imperial matters, and may be turned into a plantation, with her industrial development strangled. If, as is suggested, the War Council should evolve into the central authority, then its power should be confined to questions of Imperial Defence. No other questions should be introduced without being referred to the self-governing

nations composing the Empire, and if one nation objects to it, the question must remain excluded. Each such nation must exercise complete control over its own tariff as indeed the present Dominions now exercise it subject to a change for Imperial Defence.

“To see India free, to see her hold up her head among the nations, to see her sons and daughters respected everywhere, to see her worthy of her mighty past, engaged in building a yet mightier future-is not this worth working for, worth suffering for, worth living and worth dying for? Is there any other land which evokes such love for her spirituality, such admiration for her literature, such homage for her valour, as this glorious Mother of Nations, from whose womb went forth the races that now, in Europe and America, are leading the world? And has any land suffered as our India has suffered, since her sword was broken on Kurukshetra, and the peoples of Europe and to Asia swept across her borders, laid waste her cities, and disrowned her kings. They came to conquer, but they remained to be absorbed. At last, out of those minted people, the Divine Artificer has welded a Nation, compact not only of her own virtues, but also of those her foes had brought to her, and gradually eliminating the vices which they had also brought.

‘After a history of millennia, stretching far back out of the ken of mortal eyes; having lived with, but died with, the mighty civilisations of the past; having seen them rise and nourish and decay, until only their sepulchress remained, deep buried in earth’s crust; having wrought, and triumphed, and suffered, and having survived all changes unbroken; India who has been verily the crucified among nations, now stands on this her resurrection morning, the immortal, the glorious, the ever-young; and India shall soon be seen, proud and self-reliant, strong and free, the radiant splendour of Asia, as the light and the blessing of the world.’

On the last day of the session of the Congress a number of resolutions were passed. Some resolutions were in the shape of a demand for constitutional concessions while others were the guidelines for numerous workers who adhered to the political ideology of the Indian National Congress.

In the first and second resolutions, a profound sense of grief was expressed at the deaths of prominent leaders like Dadabhai Naoroji and Abdul Rasul. It was resolved that Naoroji's unique services to the Motherland would always enshrine his memory in the grateful recollection of his countrymen, while his saintly character, his private worth and public virtues would for all time be an example and an inspiration to the people of India. Glowing tributes were also paid to Abdul Rasul for the highest integrity of character and noble devotion to duty. He laboured strenuously to unite Hindus and Muslims in one bond of loving service to their country, forgetful of all differences of race, language and religion.

Speaking on behalf of the united people of India, the Congress respectfully conveyed to His Majesty the King Emperor its deep loyalty and profound attachment to the throne, their unswerving allegiance to the British connection and their firm resolve to stand by the Empire at all hazards and at all costs.

The Congress resolved to extend to E. S. Montagu, the Secretary of State for India, a most cordial welcome on the occasion of his visit to our country. The Congress hoped that this visit would be crowned with success and that it would also convince him to the supreme necessity for the establishment of responsible government of India.

The next resolution dealt with the immediate release of Mohame Ali and Shaukat Ali who had been incarcerated since 1914.

The training and recruitment of Indian Defence Force Act were taken up by the Congress. A suggestion for the improvement of pay, prospects and equipment of Indian soldiers was made. It was resolved:

- (a) That this Congress urges that adequate provision be made under the Indian Defence Forces Act for giving military training to as large a portion of His Majesty's Indian subjects as may offer themselves for such training and in particular, the Congress urges that Cadet Corps, consisting of young men from 16 to 18 years of age, be organised in such province.
- (b) That this Congress notes with satisfaction the removal of the racial bar against the admission of Indians to the commissioned ranks of the army and the appointment of nine Indians to such ranks, and expresses the hope that the rules to be framed to regulate future appointments will provide for the appointment of Indians to large proportion of commissioned posts, for the opening of colleges in India, for the training of officers and for their examination in this country. The Congress further hopes that the rules will be published for general information before they are passed.
- (c) That this Congress strongly urges that the pay, prospects and equipment of Indian soldiers and non-commissioned officers should be improved.

The operation of the Press Act was criticised by prominent members. Its applicability by the executive had proved a menace to the liberty of the Indian press and tended to demoralise public life. The Congress, therefore, urged the government to repeal it.

A few amendments in the constitution of the Congress were suggested and passed. It was resolved that in article

XXIX of the Congress constitution for the word 'two' before the words 'General Secretaries,' the word "three" be substituted. That in article XXVII, the word 'half' be inserted before the words 'the amount of the fees, etc.' 'The All-India Congress Committee shall have power to frame rules of the transaction of its business not inconsistent with the constitution of the Indian National Congress Organisation.'

The Congress condemned the action of the government and the use of its wide 'illegal' powers under the Defence of India Act. It urged upon the government to release all such political prisoners interned without any kind of trial.

It is therefore resolved:

- (a) That this Congress condemns the appointment of the committee announced on the 10th of December last inasmuch as the avowed object of the appointment is not to give relief but to introduce fresh legislation arming the executive with additional powers to deal with the alleged revolutionary conspiracy in Bengal.
- (b) That this Congress views with alarm the extensive use made of the Defence of India Act and Regulation III of 1818 (Bengal) and urges that the principle followed and the procedure adopted in the application of the Defence of India Act should be the same as under the Defence of India Act of England.
- (c) That in view of the grave and widespread discontent which has been caused by the harsh and indiscriminate operation of the Defence of India Act, this Congress urges that the Government should forthwith abandon the un-British policy of punishing people without trial and to grant a general amnesty to all political prisoners so as to bring about that calm atmosphere which is necessary for the constitutional growth of India as

well as for the successful prosecution of the war in which the Empire is at present engaged.

- (d) That the Congress urges that the non-official members of the Legislative Council of any province in which the detenus are being held should elect a visit committee who shall visit all detenus in their province and report to the government all cases of sickness and harsh or unfair treatment.

The Congress also urged the repeal of the Indian Arms Act and demanded that no distinction be made between the Indian and European subjects of His Majesty as regards the terms and conditions on which they might be permitted to possess and use arms. It demanded that Indians in the Crown colonies and the self-governing dominion should be placed on a footing of absolute equality with other subjects of His Majesty. It reaffirmed the resolution on education passed in the sessions of the Indian National Congress in 1906 and 1916 and opined that the time had long since come for the education of Indian boys and girls to be under Indian control as well as essentially Indian in spirit and also urged the people of India actively to support all responsible movements which fulfilled these conditions. It called upon the people of India to labor for the success of the *swadeshi* movement by making earnest and sustained efforts to promote the growth of indigenous industries and to give preference, even at sacrifice, to Indian products over imported commodities. It advocated a wider application of the system of trial by jury and urged that, in all trials by jury, Indians should have the right to claim that not less than half the jurors should be their own countrymen. Besides it resolved that executive officials in India should have no judicial power entrusted to them and that the judiciary in every province should be placed under the highest court of that province.

The Congress also resolved that it being informed by the president as a matter of urgency of the case of Lala

Arjun Lal Sethi, a political prisoner then in Vellore jail; in imminent danger of death by starvation on account of his religious principles, to appeal to the government of India to intervene at once and save his life.

The sentiments of 'grateful satisfaction' were expressed by the Congress over the pronouncement made by the Secretary of State on behalf of the Imperial government. Its object was the establishment of responsible government in India. As a sequel to this pronouncement, the Congress strongly urged the necessity for the immediate enactment of a parliamentary statute providing for the establishing of responsible government in India, the full measure to be attained within a time-limit to be fixed in the statute itself at an early date. It was emphatically of opinion that the Congress-League scheme of reforms ought to be immediately introduced by the statute as the first step in the process.

The Congress once again expressed its regret that the Indians of South Africa and East Africa still laboured under disabilities which materially affected their trade and rendered their residence difficult unjustly restricted their movement to and in these part of the Empire, and hoped that the local authorities would realise their responsibility to the Indians who had in spite of disabilities, taken their full share in the war by raising corps and otherwise removed the disabilities complained of and authorised the president to enable this resolution to the respective authorities.

The next resolution dealt with the abolition of indenture labour. The Congress was of the opinion that the Report of the Inter-Departmental Committee which sat in London to consider the question of indentured labour was not calculated to deal with the evils of indentured labour. It opined that short of complete abolition of indentured labour whether described as such or otherwise, can effectively meet the evils which had admitted by all concerned to have done irreparable harm to the labourers, and it recorded its grateful appreciation of the services rendered to the cause by

C.F. Andrews who at considerable risk to health journeyed to the Fiji Isles and was then labouring for the welfare of the Indians residing in those Isles.

The plight of the depressed classes was also discussed in length during this session. The Congress urged upon the people of India the necessity, justice and righteousness of removing all disabilities imposed by custom upon the depressed classes, the disabilities being of a most vexatious and oppressive character, subjecting those classes to considerable hardship and inconvenience.

The coercive legislation as existed under the *Raj* did not escape notice of the members of the Congress. They resolved that a request be made to parliament through the Secretary of State for India, to appoint a parliamentary commission to inquire into the Working of the special coercive legislation passed by the Governor-General-in-Council and the Supreme Legislative Council and local governments, restricting freedom of speech, writing, association and meetings, and the use of the Defence of India Act for similar purposes, together with the varied working of the laws in different provinces, causing uncertainty and distrust.

Where as the Congress recommended the formation of Indian Boy Scouts' Association in every province, under Indian control, it also resolved that the All-India Congress Committee might be authorised to send a deputation to England if necessary.

The Congress requested Joseph Baptista and H.S.L. Polak, both then in England, to convey to the Labour Party in annual session assembled, its cordial welcome of their preferred help in obtaining the passage through parliament of a statute embodying the grant of responsible government of India. This Congress authorised the president to send a cablegram to William Wedderburn, chairman of the British Committee of the Indian National Congress, informing him that, in response to an invitation from representatives of the

Labour Party, the Congress was requesting Baptista and Polak to attend the forthcoming Labour Congress.

It was also resolved that the Telugu districts in the Madras Presidency, Sind in the Bombay Presidency and Delhi with Ajmer-Merwara and British Rajputana, be constituted into separate Congress circles. Besides the Congress recorded its sense of high appreciation of the services of William Wedderburn and other members of the British Committee and resolved that the organisation of the British Committee should be maintained.

Mrs. Besant's presidentship brought together the Congress and the Home Rule League. Besides the Calcutta Congress was memorable for the question of the national flag being formally raised. In fact the Home Rule League had already adopted the tricolour flag and a committee was appointed to recommend a design for it. The committee, however, did not function and the old Home Rule flag virtually became the Congress flag, with the insignia of *charkha* on it later on, until the Flag committee of 1931 substituted the saffron colour for the red colour.

The presidential address delivered by Annie Besant was a remarkable historic performance at a time when the *Raj* was deeply engaged in a global war. For the first time in the long history of the Indian National Congress, a lady of the highest public stature was elected to preside over the deliberations of a political party which had attained recognition after a hectic career of more than three decades. Calling the demand for Home Rule as the 'weightiest' in contents, she urged for India's fundamental rights and the recognition of the cry for self-rule. She meticulously put forward examples of eminent women like Padmini, Mirabai, Tarabai, Chand Babi, Ahalya Bai, and others who had pleaded for their growth and development through the new awakening of the masses of India. She in fact touched upon each and every phase of administrative machinery and pleaded forcefully for numerous improvements which

could be made for a better functioning of the state. The new objectives in regard to legislative councils, India's defence, reforms, etc. were enumerated.

The remarkable feature of the session was the demand of the necessity for the immediate enactment of a parliamentary statute providing for the establishment of responsible government in India, the full measure to be attained within a time limit to be fixed in the statute itself at an early date. Whereas the demand for the complete abolition of indentured labour was made after showing much concern at the irreparable harm done to the labourers, the demand for the amelioration of the condition of the members of the depressed classes was made as well. Besides the reforms in the educational system, repeal of Indian Arms Act, equality for Indians living in the crown colonies, wider application of the system of trial by jury and functioning of judiciary under the highest court of that province were the main issues which were forcefully emphasised in her address.

Rowlatt Bills

When the First World War ended, the people were looking forward to the repeal of the Defence of India Act. They had begun to detest this Act, because contrary to the government's declaration, it was used by Michael O'Dwyer to punish people of the Punjab and suppress their political aspirations. Indeed, there had been a promise by the British government in August 1917 of advance toward responsible government and people had begun hoping that the Defence of India Act would soon be repealed and they would have some respite from the 'unwelcoming and unwanted' attentions of the secret services department.

The Rowlatt Bills came as a surprise as they were sprung upon an indignant, angry and dissatisfied people. These Bills take their popular name from the president of the Sedition Committee. This Committee was appointed by the government of India on 10 December 1917 with Mr. Justice Rowlatt as president to report on what were termed as 'criminal conspiracies connected with revolutionary movements in India', and advise about legislation to deal with them. The committee was required to sit in camera. Its report was presented on 15 April 1918.

The committee prepared a fairly detailed account of the organization and doings of young revolutionaries operating in different regions of India. This was done mainly on the basis of material supplied by the government of India. After a comprehensive survey of the existing political situation,

the committee recommended special legislation which sought to curtail the liberty and legal rights of the people in a manner very drastic in nature. Consequently, two Bills were prepared on the basis of these recommendations. The one that actually passed into law, was the Anarchical and Revolutionary Crimes Act, 1919. It made provision for speedy trial of offences by a Special Court, consisting of three High Court judges. There could be no appeal against decisions of this court and the provincial government was empowered to search a place and arrest a suspected person without warrant and keep him in confinement at any place in the country.

The public had no knowledge of the nature of the evidence given before the committee or even the names of those who gave it. The witnesses were not cross-examined on behalf of the people who were unrepresented. In spite of the passionate protest, the Bill was rushed through, and during all the crucial stages of the voting, no Indian member of the Legislative Council voted in any manner in its favour except one member of the Executive Council and he, too, was to resign soon afterwards after having witnessed the consequences in Punjab. The Bill was finally passed on 18 March 1918, and three important members of the Imperial Legislative Council, M.M. Malaviya, M.A. Jinnah and Mozarul Haque resigned.

Jinnah, the chairman of the Muslim League, warned the government in his speech in the Assembly, 'I do not wish to state it by way of threat or intimidation to Government, but I wish to state it because it is my duty to tell you that, if these measures are passed, you will create in the country from one-end to the other a discontent and agitation, the like of which you have not witnessed, and it will have, believe me a most disastrous effect on the good relations that have existed between the Government and people.' In his letter of resignation, to the Viceroy, he stated: "The Government of India and Your Excellency have thought it fit to place

on the Statute Book a measure admittedly obnoxious and decidedly coercive at a time of peace and thereby substituted the Executive for the judicial. Besides, by passing this Bill Your Excellency's government have actively negated every argument they advanced but a year ago, when they appealed to India for help at the War Conference and ruthlessly trampled upon the principles for which Great Britain avowedly fought the war. The fundamental principles of justice have been uprooted and the constitutional rights of the people have been violated at a time when there is no real danger to the state... In my opinion a Government that passes or sanctions such a law in times of peace forfeits its claim to be called a civilized Government.'

The Bill was strenuously opposed throughout the country by Indians of all shades of opinion. As could be anticipated, the Bill was criticised in numerous public meetings. The significant point of criticism was that the British government did not care to realize the true import of the situation from, the point of view of nationalist India.

P.E. Richards in his work on *Indian Dust* mentioned thus on 14 April 1919: 'Lahore is in the possession of armed police; and British troops. Women and children have been ordered to leave the Hill stations.... The colleges have joined in the-strike.... At all the important points were British khaki and machine-guns.'

Several Indian newspapers levelled severe criticism against this Bill. The *Bombay Chronicle* called it as 'repression in excelsis'. The *Hindu* wrote, '...the Indian public would read the proposed provisions with shame., indignation and disgust.' The *Amrita Bazar Patrika* called it a 'gigantic blunder' which would arouse the worst passions of a peaceful, law-abiding people.' The *Panjabee* regarded it as 'a barefaced attempt on the part of a bureaucracy which has been demoralised by the exercise of unrestrained power to interfere with liberty.' The *New India* described it as "monstrous'.

The speedy trials were to be conducted without any kind of commitment and with no right to appeal. They could take place *in camera*. Besides, the relevant provisions of the criminal Procedure Code and the Evidence Act were suspended for purposes of this legislation. The preventive powers were conferred on the authorities; this included the taking of security from ordinary people, and the insistence on their giving an undertaking that they would not commit a scheduled offence, that they would not change residence without notice, and that they would report to the nearest police station from time to time. The authorities were given power to use all means to enforce compliance. The people affected would have no right of counsel in their pleadings. In short, as the Congress Enquiry Report said, 'The Act created licentious conditions of judicial administration'. The Report added that the provisions for arrest without warrant and confinement under all sorts of conditions meant organised terror and disorder, martial law without the name. There were indeed shouts everywhere, '*No Appeal, No Dalil, No Vakil*'.

'One could ask why this was at all necessary. Did not Government have in its possession all the law that was required—the Defence of India Act, the Press Act, the Criminal Procedure Amendment Act and the time-worn 1818 Regulations?... The only purpose that the appointment of the committee served was to provoke and exasperate the people. They saw in it the beginning of another era of repression. It was as if Government wished to forestall any feeling of exultation among the people as a result of the Parliamentary Declaration of 20th August. It was a warning that more diabolical weapons were being sharpened for the chastisement of the so-called sedition-mongers. Once again the bureaucracy had successfully queered the pitch for any peaceful progress'.

On 8 February 1919, Gandhi informed Madan Mohan Malaviya of his reaction about the Rowlatt Bills. 'The

Viceroy's speech is disappointing. Under the circumstances I, at any rate, hope that all the Indian members will leave the Select Committee or, if necessary, even the Council, and launch a countrywide agitation. You and other members have said that if the Rowlatt Bills are passed a massive agitation would be launched the like of which has not been seen in India... I have not yet fully decided but I feel that when the Government bring in an obnoxious law the people will be entitled to defy their other laws as well. If we do not show the strength of the people, even the reforms we are to get will be useless. In my opinion you should all make it clear to the Government that so long as the Rowlatt Bills are there you will pay no taxes and will advise the people also not to pay them. I know that to give such advice is to assume a great responsibility. But unless we do something really big they will not feel any respect for us. And we cannot hope to get anything from people who do not respect us.'

The next day, Gandhi communicated to V.S. Srinivasa Sastri that he could no longer watch the progress of the Rowlatt Bills as they were the aggravated symptoms of the deep-seated disease. For him, they were a striking demonstration of the determination of the council service 'to retain its grip of our necks'. He considered the Bills to be an open challenge to us and if 'we succumb we are done for.' He clarified, 'When petitions and resolutions of gigantic mass meetings fail, there are but two courses open—the ordinary rough and ready course is an armed rebellion, and the second is civil disobedience to all the laws of the land or to a selection of them. If the Bills were but a stray example of lapse of righteousness and justice, I should not mind then but when they are clearly an evidence of a determined policy of repression, civil disobedience seems to be a duty imposed upon every lover of personal and public liberty.' Gandhi felt sure that the resignations of Indian members would shake the British government's confidence in its ability to disregard public sentiment and thus would be an education of immense value to the people of India.'

J.B. Kripalani reacted thus:

‘It was during these days that the World War ended. The allies were victorious. However, there was no evidence of any change in Britain’s attitude towards India. In fact, it looked as though with the end of their pre-occupation with the war, they had decided to turn their attention to the danger of an awakened India. The Defence of India Act was still on the statute book. Even then the Rowlatt Committee was appointed to enquire into the nature of Indian unrest and suggest measures to meet its threat to the Empire.

‘But events were moving fast. Harrowing reports of the wanton violence that the Government was using on peaceful demonstrators were pouring in from all parts of the country, more especially from the Punjab. The repression evoked further demonstrations. In some places, these took a violent turn. Some British and Indian officers were killed. There were reports of rioting in Ahmedabad and other parts of Gujarat and in the Punjab. Gandhiji rushed to Ahmedabad, When he learned that his followers, who had pledged themselves to non-violence, had yielded to the provocation given by the authorities, he was greatly distressed. Satyagraha required strict adherence to non-violence even under the severest provocation. Gandhiji felt that people had not grasped the full meaning of his message. They were not yet ready to use the new weapon of non-violence. He, therefore, called off the movement and admitted that he had made ‘a Himalayan miscalculation’ inasmuch as he had overrated the patience of the people and their capacity for disciplined action.’

Srinivasa Sastri remarked, ‘A bad law once passed is not always used against the bad In times of panic caused, it may be, by very slight incidents, I have known governments lose their heads. I have known a reign of terror being brought about; I have known the best, the noblest Indians, the highest characters amongst us, brought under suspicion, standing in hourly dread of the visitations of the

Criminal Investigation Department.... When Government undertakes a repressive policy, the innocent are not safe. Men like me would not be considered innocent. The innocent then is he who forswears politics, who takes no part in the public movements of the times; who retires into his house, mumbles his prayers, pays his taxes, and *salams* all the government officials all round. The man who interferes in politics, the man who goes about collecting money for any public purpose, the man who addresses a public meeting, then becomes a suspect.... You may enlarge your councils, you may advise wide electorates, but the men that will then fill your councils will be toadies, timid men and the bureaucracy, armed with these repressive powers, will reign unchecked under the outward forms of a democratic government. Well, we are all anxious to punish the wicked. None of us desire that wickedness should go unpunished but even the wicked must be punished in certain ways. When Skeffington was shot, I remember the whole world was shocked Now in war, when all humanity throbs with excitement and peril, and nobody thinks of anything except how to conquer the enemy, even then, my Lord, there are criminals abroad in a country, there are certain ways in which they ought to be brought to book. You ought not to lay them by the heels and punish them in ways that will shock the sense of justice; in ways that will make the innocent feel that there is no law in the land; in ways that will make honest, virtuous and public spirited work impossible. The price even for the extinction of wickedness that is demanded then is far too high Much better that a few rascals should walk abroad, than that the honest man should be obliged for fear of the law of the land to remain shut up in his house, to refrain from the activities which it is in his nature to indulge in, to abstain from all political and public work merely because there is a dreadful law in the land.'

Sastri was not in agreement with William Vincent's dictum that the aim of the Bill, he was in-charge of,

was not 'the suppression but the purification of politics.' He remarked.... 'The history of legislation, both social and political, is strewn with instances of miscarriage of excellent intentions. Laws intended to cure poverty have aggravated it....You cannot place on the Statute Book such drastic legislation without putting into the hands of overenthusiastic executive officers what I consider short-cuts to administrative peace. The tragic story of India may be summed up in these words, that you have governed all these centuries in India in isolation, without having any responsible section of public opinion behind you....No section of public opinion supports you. The nominated members have not given their blessing to this Bill. The Zamindar members have not given their blessing. The lawyer members will have none of it. The members of commerce will have none of it....'

'....I do not think the Hon'ble the Law Member could have meant all that he said that some of us were indulging in threats of agitation. I venture to think that no one here who has spoken against the Bill indulged in any thing which might truthfully be described as a threat of agitation. None of us, certainly none of the Moderates, I take leave to say, have power to go and stir up a violent agitation in the country. It is impossible. Agitation must be there already. The heart must be throbbing, if any words that we use here can have a possible effect on the general political atmosphere. The agitation is there. I wish to assure my official colleagues that none of us has a share yet in this business, but, if our appeals fall flat, if the Bill goes through, I do not believe there is any one who would be doing his duty if he did not join the agitation.'

In spite, however, of the serious protest, the motion that the Bill be referred to a Select Committee, was carried, and the amendment, that its consideration be deferred till six months after the term of office of the Legislative

Council, was defeated on 6 February 1919; 22 voted for the amendment and 35 against it.

Ayes—22

Gangadhar Chitnavis, S.N. Banerjee, Raja of Mahmudabadr Tej Bahadur Sapru, Madan Mohan Malaviya, Srinivasa Sastri, B.N. Sharma, Mir Asad Ali, V.J. Patel, M. A. Jinnah, Fazulbhoy Currimbhoy, Sitanath Ray, Rampal Singh, Krishna Sahay, Raja of Kanika, Mazharul Haque, Mian Muhammad Shafi, Zulfikar Ali Khan, G. S. Khaparde, B. D. Shukul, K.K. Chanda, and Maung Bah Too.

Noes-35

H.E. the Commander-in-Chief of India, Claude Hill, Sankarant Nair, George Lawndes, William Vincent, James Meston, Arthur Anderson, W.A. Ironside, Verney Lovett, H. F. Howard, James Du Boulay, A.H. Ley, H. Sharp, R. A. Mant, Alfred Bingley, Godfrey Fell, F.C. Rose, C.H. Kesteven, D. de S. Bray, R. E. Holland, W.R. Edwards, G.R. Clarke, A.P. Muddiman, C.A. Barron, P.L. Moore, M.N. Hogg, T. Emerson, E.H.C. Walsh, C.A. Kincaid, John Donald, P.J. Fagan, J.T. Marten, W.J. Reid, W.F. Pice and H. Moncrieff Smith.

Jawaharlal Nehru opined thus: 'It was proposed in the initial stages that this Act, when passed, was to be a permanent measure, but an amendment was accepted in the select committee limiting its continuance to three years from the termination of the war....the British Government, in the teeth, of unanimous- public opinion, pushed through a law which they themselves never used afterwards, and' thus, invited an; upheaval. One might almost think that the object of the measure was 'to bring trouble'.

The passage of the Rowlatt Bills in the final shape of an Act raised a storm and a huge and massive opposition unprecedented in the history of India. "The crime of the government became complete when they persisted in it in the face of unanimous popular opposition: The government

were wholly unjustified in placing on the Statute Book, on the eve of liberal reforms, an extraordinary measure to deal with anarchy, as if anarchy had been endemic instead of being rare in India.' Whatever the object of the Rowlatt Bills, the provisions were so drastic that the people of India began to feel that their freedom was in peril.

The response to Gandhi's call for satyagraha was spontaneous and phenomenal. His message for the people of India reached the four corners of the country even though the Congress organisation had not become so strong and widespread. On 24 February 1919, a *Satyagraha Pledge*, under the signatures of Gandhi, Vallabhbhai Patel, Chandulal Manilal Desai, Anasuya-bai Sarabhai and others was issued as a protest against the Bills. 'Being conscientiously of opinion that the Bills known as the Indian Criminal Law (Amendment) Bill No. I of 1919 and the Criminal Law (Emergency Powers) Bill No. II of 1919 are unjust, subversive of the principle of liberty and justice, and destructive of the elementary rights of individuals on which the safety of the community as a whole and the State itself is based, we solemnly affirm that, in the event of these Bills becoming law and until they are withdrawn, we shall refuse civilly to obey, these laws and such other laws as a Committee to be hereafter appointed may think fit and we further affirm that in this struggle we will faithfully follow truth and refrain from violence to life, person or property.'

On the same day, Gandhi sent a telegram to the Private Secretary to the Viceroy in which he expressed his sentiments about the Rowlatt Bills. 'Ever since publication Rowlatt Bills have been considering my position regarding them. Have been conferring with friends. In my opinion bad in themselves Bills are but symptom of deep-seated disease among the ruling class, coming as they do on eve reforms Bills augur ill for their success. Those who have been associated with me in public work and other friends

met today and after the greatest deliberation have decided to offer satyagraha and commit civil disobedience of such laws as committee to be formed from ourselves may decide. After Sir George Lowndes' speech it is necessary to demonstrate to government that even a Government the most autocratic finally owes its power to the will of the governed. Without recognition of this principle and consequently withdrawal of Bills many of us consider reforms valueless. I wish to make an humble but strong appeal to His Excellency to reconsider Government's decision to proceed with Bills, and reluctantly add that in event of unfavourable reply the pledge must be published and the signatures must invite additions. I am aware of seriousness of the proposed step. It is, however, much better that people say openly what they think in their hearts and without fear of consequences enforce the dictates of their own conscience. May I expect early reply?"

On 26 February, the Congress leadership issued instructions to the *satyagraha* volunteers to be carried on by them while seeking support of the people for the national cause. Volunteers were required to read and explain the *Satyagraha Pledge* to every intending signatory before taking his signature to the vow for the national cause. The pledge was in three parts. The first part laid down the aims and objects of the pledge. It declared that the signatories were of opinion that the Rowlatt Bills were unjust, subversive of the principle of liberty and justice, and destructive of the elementary rights of individuals. In order to be able to make this statement one must fully understand the Rowlatt Bills, hence it was the duty of the volunteers to explain the Bills clearly to the intending signatory.

The exact vow to be taken by the *satyagraha* volunteers formed the second part of the pledge. The signatory had to solemnly affirm that he would refuse civilly to disobey certain laws. 'Volunteers must explain to the signatory the full significance of the word 'civilly'—the possession and distribution to the public of literature prescribed by

Government and which one sincerely believes to be harmless, would be civil disobedience. Volunteers must explain to the would-be-signatory with the help of such illustrations the full significance of the pledge.'

Besides volunteers were required to explain to every intending signatory that he must be prepared to bear every kind of suffering and to sacrifice, if necessary, both his person and property. He was also made to understand that he must be prepared to carry on the struggle single-handed even if left alone.

The third part of the pledge declared that the *satyagrahi* would fearlessly adhere to the principles of truth and *ahimsa*. He must not misrepresent anything or hurt anybody's feelings. Volunteers must urge upon people necessity of fully realizing the grave responsibility of adhering to truth and *ahimsa* before signing the pledge. Volunteer must not speak of things they did not understand and must not hold out false hopes to anybody. If they found themselves unable to explain anything they must consult the committee or refer the would-be signatory to it. *Ahimsa* included *advesha*. Volunteers, therefore, must never resort to unfair criticism of the movement. If in performing their duties they were obstructed by the police or others, they must not lose their temper but must courteously explain to those opposing them, their (volunteers') duty and their determination under any circumstances to perform the same.

Volunteers were to accept the signatures of persons under eighteen and also students. And even in the case of those over 18, he must make sure that the signatory had decided after careful consideration. But volunteers must not induce persons to sign, upon whose earnings their families were solely dependent for their maintenance.

Gandhi started the *Satyagraha Sabha*, the members of which were pledged to disobey the Rowlatt Act, if it was

applied to them, as well as other objectionable laws to be specified from time-to-time. In other words they were to court goal openly and deliberately. Jawaharlal Nehru reacted thus: "When I first read about this proposal in the newspapers my reaction was one of tremendous relief. Here at last was a way out of the tangle, a method of action which was straight and open and possibly effective, I was afire with enthusiasm and wanted to join the *Satyagraha Sabha* immediately. I hardly thought of the consequences—law-breaking, gaol-going, etc.—and if I thought of them I did not care.'

On 11 March, Gandhi once again reminded the Viceroy of the serious repercussions the passage of Rowlatt Bills would lead to in the country. In a telegram to him, he explained, 'Even at this eleventh hour I respectfully ask His Excellency and his Government to pause and consider before passing Rowlatt Bills. Whether justified or not, there is no mistaking the strength of public opinion on the measures. I am sure Government do not intend intensifying existing bitterness. Government will risk nothing by delay, but by expressly bowing to public opinion will smooth down feeling and enhance real prestige. I am proceeding to Bombay tomorrow by Jubbulpore Mail.'

The passing of the Act through the Legislative Council had resulted in the vernacular presses of Delhi indulging in extravagant language and there had been meetings in Delhi condemning the Act. On 30th March, rioting which was the outcome of the *hartal* and so-called passive resistance, took place. The crowds in the city were disorderly—mainly in Chandni Chowk and Hauz Kazi and people were being prevented from riding *in tongas*' by the mob. 'It appears that a mob of people presumably some of those who had been enforcing *hartal* and stopping vehicles had invaded the Railway Station with the object of closing down the shops of the station, sweetmeat vendors who supply passengers with food and refreshment. A European had been pulled out

of a *tonga* and the driver assaulted and the precincts of the Railway Station were the scene of more disorderly conduct. At least one man was arrested by the Railway police.

‘.... Mr. Mathews, the Assistant Station Superintendent was assaulted, his coat being torn off his back. A very excited crowd of rowdies invaded the Railway Station breaking flower plots and damaging railway property.

‘They’ however created disturbance in the station yard and in the road with the object of releasing men whom they imagined had been arrested—The police drove the crowd off and into the Queen’s Gardens opposite’ and both police and troops were utilised to prevent the crowd returning to the station.

The upshot was that crowd became more and more unruly and excited, and proceeded to attack the forces present with sticks and stones. Matters came to such a pass that for the protection of the troops and police, many of whom had been hit including Mr. Marshall, Mr. Jeffreys, Sergeant Kemsley and even Mr. Currie himself Mr. Currie sanctioned fire being opened, both police and troops firing a few rounds. As soon as the crowd began to withdraw, the order to cease fire was issued. Two rioters were killed inside the Queen’s Gardens, and doubtless more were wounded.

Initially, 30th March 1919 was fixed for the national protest, but the date was changed to 6th April. It was a simple, yet unique programme of mass action—24-hour fast as a necessary discipline, the stopping of all work, the closing of all markets and business places and the holding of public meetings.

On 7 April 1919, Gandhi launched a daily entitled *Satyagrahi* in defiance of the Indian Press Act. The paper had not been registered in accordance with the law. Gandhi explained to the subscribers, ‘So here can be no annual subscription. Nor can it be guaranteed that the paper will be published without interruption. The editor (M.K. Gandhi)

is liable at any moment to be arrested by the Government and it is impossible to ensure continuity of publication until India is in the happy position of supplying editors enough to take the place of those arrested. We shall leave no stone unturned to secure a ceaseless succession of editors. It is not our intention to break for all time the law governing publication of newspapers. This paper will, therefore, exist so long only as the Rowlatt legislation is not withdrawn.'

In fact, *Satyagrahi* had come into being for the sake of ensuring withdrawal of the Rowlatt legislation. Its main motive, therefore, was to show to the people the ways and means of bringing about such withdrawal in accordance with the principles of *Satyagraha Pledge* required the signatories to court imprisonment by offering civil disobedience by committing a civil breach of certain laws. This publication can, therefore, show the best remedy in one way and that was by committing civil disobedience in the very act of publishing this journal. Thus this method of *Satyagraha* was unique. In it the example alone was precept. 'Therefore, whatever are suggested herein will be those that have been tested by personal experience, and remedies thus tested will be life well-trying medicine more valuable than new.'

A final guide-line was issued by the *Satyagraha Sabha* to the *Satyagraha* volunteers on 1 April 1919 along with a list of prohibited literature which should be made use of by them in public meetings. This prohibited literature was as follows:

1. *Hind Swaraj* by M.K. Gandhi
2. *Sarvodaya or Universal Dawn* by M.K. Gandhi
3. *The Story of a Satyagrahi* by M.K. Gandhi
4. *The Life and Address of Mustafa Kamal Pasha*

In selecting this kind of prohibited literature, the *Satyagraha Sabha* had a few important considerations in view. Such a literature used by the *satyagrahis* was to cause

as little disturbances as possible among the governors and the governed. 'Until *satyagrahis* have become seasoned, disciplined and capable of handling delicately organized movements, to select such laws only as can be disobeyed individually; to select as a first step, laws that have evoked popular disapproval and that from the *satyagraha* standpoint, are the most open to attack; to select laws whose civil breach would constitute an education for the people, showing them a clear way out of the difficulties that lie in the path of honest men desiring to do public work; (and) regarding prohibited literature, to select such books and pamphlet as are not inconsistent with *satyagraha*, and which are, therefore of a clean type which do not, either directly or indirectly approve of or encourage violence.'

Satyagraha volunteers were further advised to abide by some principles during the struggle. 'We are not in a position to expect to be arrested any moment. It is, therefore, necessary to bear in mind that, if anyone is arrested, he should without 'causing any difficulty allow himself to be arrested and, if summoned to appear before a court, he should do so. No defence should be offered and no pleaders engaged in the matter. If a fine is imposed with the alternative of imprisonment, imprisonment should be accepted. If only a fine is imposed, it ought not to be paid but that his property, if he has any, should be allowed to be sold. There should be no demonstration of grief or otherwise made by the remaining *satyagrahis* by reason of the arrest and imprisonment of their comrade. It cannot be too often repeated that we court imprisonment and we may not complain of it when we actually receive it. When once imprisoned, it is our duty to conform to all prison regulations, as prison reform is no part of our campaign at the present moment. A *satyagrahi* may not resort to surreptitious practices, of which ordinary prisoners are often found to be guilty. All a *satyagrahi* does can only and must be done openly.

The *satyagrahis* were advised to receive copies of prohibited literature for distribution amongst the people from the secretaries of the *Satyagraha Sabha*. A novel feature of such a distribution was that it was to be done not in a secret way. *Satyagrahis* were, therefore, required, as far as possible, to write their names and addresses as sellers, so that they might be traced without any kind of difficulty when they were wanted by the government for prosecution. Naturally, there could be no question of secret sale of this literature. It was open to *satyagrahis* to form small groups of men and women to whom they might read this class of literature. Thus the object in supplying the selected prohibited literature was not merely to commit a civil breach of the law regarding it, but it was also to provide people with clean literature of a high moral value. It was expected by the Congress leadership that the government would confiscate such literature.

Another unique feature of the *satyagraha* was that it was to be as independent of financial support as far as possible. Moreover, when the copies of the prohibited literature were confiscated by the government, *satyagrahis* were required to make more copies themselves or by securing the assistance of 'willing friends' and to make use of it until it was confiscated by giving readings to the people from it.³⁸ In fact, such readings would amount to dissemination of prohibited literature. When all the copies would exhaust by dissemination or confiscation, *satyagrahis* might continue civil disobedience by writing out and distributing extracts from accessible books.

Regarding civil breach of the law governing publications of newspapers, the idea was to publish in every *satyagraha* centre a written newspaper, without registering it. It was not to occupy more than one side of half a foolscap. 'A *satyagrahi*, for whom punishments provided by law have lost all terror, can give only in an unregistered newspaper his thoughts and opinions unhampered by any

other consideration than that of his own conscience. His newspaper, therefore, if otherwise well-edited, can become a most powerful vehicle for transmitting pure ideas in a concise manner, and there need be no fear of inability to circulate a hand-written newspaper; for it will be the duty of those who may receive the first copies to recopy till at last the process of multiplication is, made to cover, if necessary, the whole of the masses of India. And it must not be forgotten that we have in India the tradition of imparting instructions by oral teaching.'

A large number of protest meetings were organized in various parts of the country. The social discontent got wider circulation in Lahore, Amritsar, Delhi, Ahmedabad, Bombay, United Provinces, Central Provinces and Calcutta. The rural areas, except in the Punjab and Gujarat were not effected by this agitation. With the unchallenged charisma which indeed was an effective weapon in Gandhian political armoury, he brought about a drastic change in the existing climate of politics and could easily muster support from different sections of the community dwelling mainly in cities and larger towns. The effect of this agitation proved as a significant aspect for launching bigger movement at all-India level in 1920. Undoubtedly, the *satyagraha* was organised, guided and planned by Gandhi at higher level, but it was effectively supported by the local leaders with the local support. At times, the sentiments of the mobs crossed the non-violent domains and resorted to assault, arson, looting and killing. As a result thereof the government machinery acted swiftly but callously and there were numerous shootings at places, the biggest and the most tragic being in the Jallianwala Bagh at a non-violent and unarmed assembly of people.

Amritsar Congress, 1919

The decision to hold the thirty-fourth session of the Indian National Congress at Amritsar was deeply attached with the touching sentiments generated by the tragic incident in the Jallianwala Bagh a few months earlier. The city, an historic one on numerous counts, had gained much publicity after April 1919 when the tragic happenings were featured in the press and in numerous political and social meetings at several places in the Punjab and elsewhere. The election of a seasoned, reputed and affluent lawyer of Allahabad and a prominent leader of the Congress as president was a befitting tribute to Pandit Motilal Nehru. Both Motilal Nehru and young Jawaharlal Nehru were critical of the great tragedy that had taken the lives of hundreds of innocent persons in the *Bagh*.

Undoubtedly the session was well-attended. There were 7,031 delegates who assembled on 27th December, 1919 at the *pandal* in the Aitchison Park, opposite the railway lines, in Amritsar. The prominent leaders who attended this Congress, were Mahatma Gandhi, Motilal Nehru, Madan Mohan Malaviya, Bal Gangadhar Tilak, C.R. Das, Annie Besant, M.A. Jinnah, Mr. & Mrs. Hasan Imam, Raja of Mahmudabad, C.P. Ramaswami Iyer, Hakim Ajmal Khan, Dinshaw Petit, Srinivasa Sastri, Kasturiranga Iyengar, Vijiaraghavachariar, Bepin Chandra Pal, Dr. Saifud Din Kitchlew, Dr. Satyapal, Lala Karkishenlal, and last but not the least Pandit Rambhaji Dutt Chaudhri. The proceedings

began after the president's arrival with a welcome song sung by some ladies led by Mrs. Sarladevi Chaudhrari.

The chairman of the reception committee, Swami Shraddhananda, mentioned about effects of the tragic events that had happened in various some parts of the province. 'But where selfishness so reigns supreme on all sides how could unselfishness shine forth. Orderliness gave place to disorder, and peace made room for a reign of terror. Every one was simply thunder struck on getting news of the cruel bloodshed on the sacred day of the Baisakha Sanskranti. Martial Law, however, prevailed and there was quiet—the quiet of cremation ground and the grave yard—the silence of death'.

The promulgation of martial law was also discussed by the chairman. 'The doses of Martial Law, which Lt. Col. Frank Johnson and General Dyer administered to the Punjab have, instead of casting it 50 years behind, stimulated its political activity so far that now having as if bridged over a number of years it stands abreast of the other more advanced provinces....' In the same breath, he advised the moderates, liberals, extremists, radicals and home-rulers to unite amongst themselves as their goal was common—to achieve self-government for India.

While narrating the tragic incident at Jallianwala Bagh the chairman had a word of praise for Hindu-Muslim unity which had been shown during 1919. 'Its second fruit is the realisation of the sublimity of penance and forbearance. The Martial Law has well-established the value of character and indeed character is the key to true progress. Its third fruit is a clear vindication of the powers of constitutional agitation and forbearance. The Jallianwala Bagh presented the best illustration of forbearance, for both young and old there received the volleys of bullets like showers of flowers'.

In the end he laid emphasis on the development of the scheme of education and deprecated the tendency of making

the students as slaves of western thought and culture. 'When that fortunate day comes, you shall have to give up your western methods of eating and drinking and dressing. You shall have to bid adieu once for all to your life of luxury. Then will the scattered parts of this nation unite. Then will a true system of National education evolve, which would be managed entirely by our own men'.

In the opening sentences of his presidential speech, Motilal Nehru mentioned about the 'recent tragic events in the Punjab'. He stated. "These events furnish many a dark chapter to the history of the past twelve months, but none darker than the great tragedy enacted in the very city of Amritsar in April last'. He called it the 'cruel murder of hundreds of your brothers'. He criticised the British government for its non-fulfilment of the promises it made during the war. Even after the termination of war, there was no hope for attaining self-determination for the country. 'Peace has now come, partially at least, but it has brought little comfort even to the victors. The pledges made by statesmen have proved but empty words, the principles for which the War was fought have been forgotten and the famous fourteen points are dead and gone.'

Motilal Nehru made a reference about the prevailing situation in various countries of the world. *Vae victis* is still, as of old, the order of the day. Russia, hungering for peace, is allowed no respite and a number of little wars are waging on the continent of Europe. Prussianism has been crushed but it has been reborn in the other countries of the west which have enthroned militarism on high. The fate of Turkey hangs in the balance, and Ireland and Egypt are being made to feel the might of the British Empire. In India, the first fruits of the peace were the Rowlatt Bills and Martial Law. It was not for this that the war was fought, it was not for this that many hundreds of thousands laid down their lives'. He warned that, "Our rulers have failed to realise that repression and conciliation cannot go hand

in hand; that the grace of a gift lies more in the manner of giving than in the thing given.'

Congratulating the people of Amritsar and the Punjab, the president mentioned about their sufferings and sacrifices for the cause of the nation. 'India has suffered much at the hands of an alien and reactionary bureaucracy, but the Punjab has in that respect acquired a most unenviable notoriety.' But repression and terrorism have never yet killed the life of a nation, they increase the disaffection and drive it underground to pursue an unhealthy course breaking out occasionally into crimes of violence.... No one can but deplore violence and political crime.' He also traced out the past history of the agitation in the Punjab. 'During the early days of Sir Michael O'Dwyer's rule occurred the *Komagata Maru* incident... On landing in India they found themselves prisoners and, broken down as they were by the consistent ill-treatment they had received at home and abroad, they completely lost their heads and the unfortunate Budge-Budge riot was the result. (This) episode marked the recrudescence of unrest in the Punjab and afforded a pretext to Sir Michael O'Dwyer to ask for more 'effective power'... At last Lord Hardinge was compelled to yield and the Defence of India Act which substantially embodied the provisions of this draft ordinance was hurriedly passed through the Indian Council. How this "essentially war measure" has been used not only in the Punjab but in the other provinces as well to deal with matters wholly unconnected with the war, we all know.'

The Rowlatt legislation was also viewed with severe criticism in the presidential speech. 'The most remarkable feature of the Act in this respect is that no right of appeal is given even when the judges differ, the only consideration shown being that no sentence of death shall be passed if there is such difference of opinion.... The negation of law and justice which the Rowlatt Act represents could only be necessary to cover the inability or incompetency of the

Government to cope with an evil which is by no means confined to India. The only justification pleaded is that the Act is not meant for the innocent and the law-abiding who need have no fear of its application to them. But it is conveniently forgotten that the sole judge of the innocence or guilt of any person, however, high placed he may be, is the executive. And who can have faith in the executive if the safeguards imposed by law on them are removed. After what has happened recently in the Punjab, and at different times in other parts of India, let no man ask us to put implicit faith in the reasonableness of Government measures and methods. The point is that no executive in the world, however, competent it may be, has any business to usurp the jurisdiction of duly constituted law courts or deprive the people of the protection afforded by them.'

The president mentioned about the 'popular cries' in the Punjab which put the main provisions of the Act in a nutshell. 'No *vakil*, no appeal, no *daleel*'. He explained, 'To compare the arrest and confinement without trial of a citizen, and numerous other restraints put on his liberty of action and speech, with the governance of a school or a club is, to say the least, adding a gross insult to a serious wrong.... The Act is an ugly blot on the Indian statute book and must be removed without delay'.

The launching of *satyagraha* was another significant item in Motilal Nehru's speech. He applauded the trenchant criticism levelled by Mahatma Gandhi in his numerous speeches, statements and writings against the Rowlatt Bills. With his incessant efforts, the masses of India were suddenly awakened and the message of *satyagraha* entered the humblest home. He was quite sure that unless the people adhered to truth and discard fear, they could not get rid of 'slave psychology', the outcome of generations of repression which had been our 'sad inheritance'. 'And violence cannot avail us. This is the special weapon of the west and we cannot hope to win freedom by armed force. But even if we

could do so it would be a barren victory, a victory which would degrade and coarsen us and make us less fit to enjoy the freedom we had so won. We would develop the same vices against which we are contending now in our turn would start the game of repression.'

While elaborating his ideas about the recurrence of *hartal* on 6th April, the Congress President stated, 'There was no civil disobedience of laws in the Punjab. *Satyagraha* flourished more in other parts of the country and yet there was no disturbance there. The *hartals* of the 6th April did not cause any breach of the peace. It was only after two popular leaders of the city had been suddenly deported and Mahatma Gandhi, the most revered Indian of the day, had been arrested, that the passions of the populace broke loose in certain parts of the country. That would have been so even without *satyagraha* or *hartal*. The disturbances were the result of the action of the authorities. They knew full well, in the Punjab at least, that the consequence of their provocative action would lead to trouble and they took measures accordingly. He had a serious dig on clamping of martial law in the Punjab which almost cut off this province from the rest of the world. It was difficult to ascertain the Happening there and only one-sided accounts were presented by the government. Outsiders were not permitted to enter the 'charmed area', even C.F. Andrews being turned out of the province.

Indeed a major portion of his speech was spent on the earlier happenings at Amritsar; the operation of inhuman treatment meted out to the innocent local population by the British officials. The sudden deportation of Drs. Kitchlew and Satyapal was a typical act of the British administrators. Having convinced themselves that there was revolution in the air, that conspiracies were being hatched, that the wonderful calm of the 6th and 9th of April had strange currents underneath, they took the only step which appealed to the mind of a bureaucrat. This kind of action, they

thought, would greatly upset the people, leading to a serious trouble. Could they crush them with the "ample resources" at their disposal? It did not strike them that the people could be reasoned with or could be conciliated. Nor did they think of having recourse to the ordinary law courts of the country. They do not believe in the intricacies or the delays of the law. They believe in making themselves the judges and meting out swift and stern justice to their opponents'.

Besides, he severely criticised the violent action of the British government in Jallianwala Bagh. 'But saddest most revealing of all was the great tragedy which occurred here on the Baisakhi day. No Indian and no true Englishman can hear the story of the *Khuni Bagh*, as it is now aptly called, without a sickening feeling of horror... What words, fellow delegates, can I use to express your feelings, and mine whose kith and kin were mercilessly shot down by the hundred in cold blood? The facts of this incident were before you, they have largely been admitted by the authorities... General Dyer, the author of the deed, has almost boasted of his achievement. He has sought to justify it... The defenders of law and order had won a great victory, they had crushed the great rebellion'.

Talking about the crawling orders in Amritsar, cruelties and atrocities of British officials on innocent people in Lahore, Gujranwala, Kasur and other places, he explained, 'In Gujranwala, as you are all aware, ...act of bombing from aeroplanes was practiced, a bomb being actually dropped on a school boarding-house full of boys. The manner in which bombs were dropped may be gathered from Lt. Dodkin's statement. He says, 'I saw twenty or thirty people in a field talking to one another and dropped bombs on them. I did not know who they were, whether they had assembled for an unlawful purpose, but I bombed as my orders were to disperse crowds.' In Kasur, Captain Doveton evolved a "fancy and novel" punishments for the people and sought to teach them how to observe the ancient customs of

India by touching the ground with their foreheads. He also had men stripped and flogged in the presence of prostitutes. 'His brother officer Lt. Col. Macrae meanwhile amused himself by having school boys flogged in public in order to set an example to all evil-doers. The bigger boys were picked out at random, perhaps they could bear the whipping better. They were not guilty of any offence. "It was their misfortune".... All the male inhabitants, boys and men, ten thousand in number, had to present themselves, for the identification parade. The men arrested, 150 in number, were put in a cage placed on the station platform, and a public gallows was erected, entirely at the instance of the Punjab Government, before any one was tried or condemned to death; so Col. Macrae informs us.'

The Hindu-Muslim unity was another significant aspect of the presidential speech. Besides the attempt to terrorize the people, the Punjab officials aimed a blow at the most valuable asset of Indian political life, the union between Hindus and Muslims. The president mentioned the pathetic scenes of fraternization between the two communities which took place during the disturbances in Delhi, Lahore and other places accompanied with shouts of *Hindu-Musliman ki jai*. These expressions of friendliness and fellowship in a common trouble were treated by the Punjab officials as heinous crimes amounting to open rebellion and waging a war against the king. 'One of the most shameful acts of the Martial Law authorities was to ridicule the Hindu-Muslim entente publicly in various ways? The admission of Hindus to the Mohammadan mosques and of Moharnmadan to the Hindu temples, the drinking of water or *sherbet* from cut of the same glass by Hindus and Mohammadans were unmistakable signs of a far deeper union of the two than could be looked upon with equanimity by those who were interested in keeping them apart. And an attempt was made under official inspiration during the closing days of Martial Law to found separate political associations or *Sabhas* for Hindus, Mohammadans and Sikhs. I do not know what

progress has been made in this direction but I trust that my fellow countrymen of all communities will refrain from swallowing this fatal bait.'

The president also made a comprehensive reference to the necessity of martial law, the cases during the operation of this law and the official responsibilities, in this regard, of Michael O'Dwyer and Lord Chelmsford. He stated, '.... I think I am fully within my rights in pointing out that the question is not so much whether there was necessity for the application of Martial Law at any time as whether it was necessary when it was actually applied. It may be that Martial Law could be justified if it had been introduced at the time when the disturbances were actually going on, but it is an admitted fact that it was not so applied. What was done was to call on the military to help the civil administration which is well within the discretion of every magistrate under our Criminal Law, but is very different from Martial Law.

'Whatever the finding of your Commissioners and Lord Hunter's Committee as to the initial necessity of Martial Law may be, there, is not the slightest doubt, on the admissions made by the official witnesses before Lord Hunter's Committee, that there was absolutely no justification for keeping it in force for the unconscionable length of time during which its horrors continued to be perpetrated. Admittedly, it was not required to maintain law and order and the only justification pleaded, besides the old story of the dangers arising from the proximity of the frontier, is that it enabled the offenders to be brought to speedy justice.'

Indeed the martial law commissions, summary and area courts, the President stated, had caused the greatest misery to the people. Many lay in jails; 108 persons were sentenced to death and the aggregate sentences of imprisonment amounted to the stupendous total of 7, 371 years and 5 months (allowing 20 years for a sentence of

transportation for life). 'Many of these sentences have been largely reduced by the present Lieutenant-Governor. Clemency has been shown where justice was needed. Injustice cannot be tempered with mercy. Sir Edward Maclagan is a kindly gentleman who has tried to mitigate the rigours of his predecessors' regime but he has not had the courage or the wisdom to break it through the evil traditions he has inherited.'

The responsibility for this type of administration, Motilal Nehru admitted, originated, without any doubt, from working of the mind of Michael O'Dwyer who had endeavoured to show and strove to make the Punjab a kind of Ulster in relation to the rest of India. To him there was little difference between a constitutional agitator and an anarchist. For both he had the same remedy, repression. But the remedy failed him and increased the disease. And then he played his master card and brought in Martial Law to kill once for all the breed that agitates. He has failed again in his endeavour, but his policy has resulted in death for many and in utmost misery for thousands. For that he is fully responsible. He is responsible for the actions of General Dyer and military colleagues in Amritsar; he is also responsible for the doings of his subordinates in the other districts under Martial Law. He also blamed Lord Chelmsford who did not discharge his official duty 'faithfully and adequately'. He questioned with sarcasm: 'He must have known or ought to have known, what was happening in the Punjab. The Congress Committee repeatedly drew his attention to it.... Has he shown us any sympathy? Has he even been into the heart of the province to acquaint himself by personal enquiry on the spot concerning the tragedies which have taken place? We have not even heard that his heart has bled for Amritsar.... Has he faithfully and adequately discharged his duty to his King and to his fellow countrymen by his persistent refusal to listen or to interfere, by his aloofness and by his absence from the scene of these happenings, when hundreds of His Majesty's

subjects were done to death by the military and thousands put to shameful indignity'.

The process of constitutional development in India was also elaborated by him. The Government of India Act, he stated, was not based on the wishes of the people of India and its provisions fell short of the minimum demands made by the Indian National Congress. It gave the people some power, but it did not give them free citizenship or the power to check the misuse of the executive of the functions of law and order. It thus ignored the insistent demand of the country for a Declaration of Rights. In fact, this demand was clearly formulated by the special Congress in Bombay, and it was reiterated in Delhi in 1918. Subsequent events had but emphasised the necessity for it. No constitution could meet our needs unless it was accompanied with a guarantee and a clear declaration of our elementary rights which had been so ruthlessly violated in the Punjab. 'No Indian can be blind to the fact that the protection of our fundamental civic liberties is a matter of the most urgent consequence. No statesman can shut his eyes to the supreme moral necessity of securing the faith of the Indian people in the inviolability of their rights of citizenship... Without these rights, as some of the most distinguished publicists in England have stated recently in a manifesto, "British freedom is a mockery." It is obvious that all these traditional rights have been set at nought in India by the combined operation of the Indian D.O.R.A., the numerous repressive measures on our Statute Book and the cult of Martial Law.'

Motilal Nehru touched upon the question of Khilafat which he stated was one of the significant issues of the day. He made it clear by saying that 'The entry of Turkey in the war was a most momentous event from the Indian Muslims' point of view. They felt no inconsiderable misgivings about their attitude when they saw that an issue had arisen, which seemed to involve a conflict between their loyalty to their King and country and duty to the religious head of

the Islamic world., But these doubts were happily short-lived and the Indian Mohammedans cheerfully cast in their lot with the British Empire when the memorable announcement of the 2nd November, 1914, was made by Lord Hardinge, securing to the Mohammedans complete immunity from any interference with their religious feelings. This announcement was followed by similar assurances from other British statesmen. Mr. Lloyd George in his famous speech of the 5th January, 1914 said: "Nor are we fighting to deprive Turkey of its capital or of the rich and renowned lands of Asia Minor and Thrace which are predominantly Turkish in race."

'Apart from the promises and pledges given to His Majesty's Muslim subjects they have the right to demand the application of the principle of self-determination to the component parts of the Turkish Empire in the same way as it has been applied to Poland and the Yugoslavia. What reason is there for a different treatment of Mesopotamia and Syria, where the population is almost entirely Muslim in faith, or of Palestine and Armenia, where Muslims are numerous more than the followers of any other religion?

'As to who is the rightful Khalifat-ul-Islam, it is unnecessary for me to enter into historical or religious considerations. Lord Robert Cecil has admitted in the House of Commons that "His Majesty's Government have never departed from the attitude that the question of Khilafat is one for Muslim opinion alone to decide". Muslim opinion has now decided it, in a manner which leaves no possible doubt, in favour of the Sultan of Turkey. With Arabia independent, with foreign powers governing Mesopotamia, Syria and Armenia in the guise of mandatories, with Palestine restored to the Jews, with the Greeks securely lodged in Smyrna and the Hinterland, with Constantinople fat-ul-Islam? Fellow-delegates, it is a serious question demanding your most earnest attention.'

Besides *Swadeshi*, sufferings of B.G. Horniman and ultimate goal of the Indian National Congress were stated in clear terms:

‘From matters which require political action I come to that which in its one aspect requires no political or legal action, yet which is one that is fraught with the greatest consequences for good. I refer to *Swadeshi*. Mr. Gandhi has made this question his own. He would, if he could, revive the ancient industry of hand-spinning and make the country self-supporting. Modern economists may doubt the success of the scheme in this age of waste and if it becomes popular, it bids fair to solve the problem of finding a subsidiary occupation to agriculture. Seventy-three per cent of our population is agricultural. No agricultural population can exist without a supplementary industry. If our women were to take to hand-spinning and if hand-weaving became fashionable as before, without a big organisation and without a large outlay of money, we can not only produce sufficient cloth for our wants but provide the peasantry with auxiliary industry. I commend the scheme to the attention of the delegates.

‘But, by your leave, I shall say a few words about a friend of India who has suffered because of the love he bore our country. This Congress needs no words of mine to inform it of the many and varied services which Mr. B.G. Horniman has rendered to our cause. We are a grateful nation and our friends are not so many that we can afford to forget or lose any of them. Mr. B.G. Horniman, as you are aware, was removed from a bed of sickness and without any respite made to leave the country. That is the way of the bureaucracy. Charges of a gross nature have been made against him in the House of Commons and elsewhere. They have been contradicted and proved to be false, but then, has been no withdrawal of them, nor has Mr. Horniman been permitted to return. In England he is devoting himself to our cause, but that is poor consolation for us, who miss his wise counsel and his sturdy independence.’

'But what is our ultimate goal? We want freedom of thought, freedom of action, freedom to fashion our own destiny and build up an India — suited to the genius of her people. We do not wish to make of India a cheap and slavish limitation of west. We have so far sought to liberalise our government on the western model. Whether that will satisfy us in the future I cannot say. But let us bear in mind that western democracy has not proved a panacea for all ills; it has not yet solved the problems which surround us. Europe is torn as under by the conflict between labour and capital, and the proletariat is raising its head against the rule of the classes. It may be that when we get the power to mould our institutions, we shall evolve a system of government, which will blend all that is best in the east and the west. Meanwhile, let us beware of the errors of the west and at the same time cast out the evil customs and traditions which have clung to us. We must aim at an India where all are free and have the fullest opportunities of development; where women have ceased to be in bondage, and the rigours of the caste system have disappeared; where there are no privileged classes or communities; where education is free and open to all; where the capitalist and landlord do not oppress the labourers and the ryot; where labour is respected and well paid, and poverty, the night-mare of the present generation, is a thing of the past. Life will then be worth living in this country, it will be inspired by joy and hope, and the terrible misery we see around us will become a bad dream which has faded away from our memory, on our awakening to welcome the morning sun.

'But that day is yet distant. We have still a difficult path, full of obstacles and pitfalls before us. Let us march ahead with truth for our guide and courage our watchword and before long we shall reach the promised land.

'Coming to the provisions of the new Act, we find that a considerable part of this measure is in the nature of a black cheque. The filling up of this cheque is left to the

Executive Government of India, subject to the supervision of the Secretary of State. This process may make or mar whatever benefits are intended to be conferred by the very large number of proposals which are subject to the extensive rule-making powers provided under the Act. There are yet further commissions or committees to come, and further investigations to be made in order to settle details. It is on the completion of this work that the Act will be fully put in operation.'

C.R. Das sponsored a resolution on the reforms of the self-government and it was presented in three parts. Although seconded by Bal Gangadhar Tilak, the amendments were shot by prominent leaders like Gandhi, Jinnah, Mrs. Besant, B.C. Pal and Mahomed Ali.

The original resolution was as follows:

1. That this Congress reiterates its declaration of last year that India is fit for full responsible government and repudiates all assumptions and assertions to the contrary wherever made.
2. That this Congress adheres to the resolutions passed at the Delhi Congress regarding constitutional reforms and is of opinion that the Reforms Act is inadequate, unsatisfactory and disappointing.
3. That this Congress further urges that Parliament should take early steps to establish full responsible government in India in accordance with the principle of self-determination.

While seconding the resolution Tilak observed, "We are asked to thank Mr. Montagu. I have no objection to thank any body if you wish. But I am not very particular about thanking. We are in the habit of thanking for every little thing. This amendment will be moved and it will be for you to decide whether it is in strict consonance with the principle I have enunciated'.

Gandhi also proposed that the word 'disappointing' may be omitted from clause 2 of the resolution. In support of his resolution, he spelt out his sentiments thus.... Throughout my life, I have understood the spirit of democracy. I have yielded to no one in both these things, but throughout my life, I have also found that there come occasions in a man's life, if he wants to regulate his life according to the voice of his own conscience, according to the immutable laws of God as he understands them, when he must grasp and embrace his brother parting with him as a dearest friend.... My amendment expresses, in my opinion, in more graceful language, what the original clause says.

'I do believe with Tilak Maharaj, Mr. Das and all the other friends that we are fit for responsible government..... Their position again was, why should we thank a servant of ours. After all, who is Mr. Montagu? He is our servant. If he has done a little bit of his duty, why do we want to thank him? If is an attitude you may sympathise with. But I say to this great audience that it is not an attitude which is worthy of ourselves. It in the heart of your hearts you can say that Mr. Montagu, throughout his career as Secretary of State for India, has done one thing, viz, he has overborne the opposition led by Lord Sydenham against this Bill and he has resisted all encroachments upon its liberal provisions, then I say extend to that extent the hand of fellowship to Mr. Montagu. He deserves our thanks. This is all my amendment means.'

Jinnah seconded Gandhi's amendment and observed thus. 'Now Lokamanya Tilak comes, on this platform and has told you that we want to use the Act, make the fullest use of it, we will get into the Legislative Councils. We will accept Ministerships, in fact we shall make the fullest possible use of it, but may I know, in the name of Heaven, in the name of everything that is sacred, why does not the Congress say so in its resolution and give a true lead to thousands who are outside waiting to know your opinion?

I have no hesitation in saying on this platform that there is a school in this country whose intention is to obstruct and not to work the Reforms. I make bold to say that. If you are intending to co-operate, if you wish to take up Ministerships, if the Act which places such opportunities and advantages in your way is worked properly, then I say it will be impossible to resist inquiry being held earlier. I ask you this question, do you object to work the Reforms so as to make the establishment of full Responsible Government as early as possible.... Let this Indian National Congress rise to that height and express its thanks for what he has done. I have no doubt in my mind that Mr. Montagu has laboured, I tell you from my own personal knowledge, as no other Englishman has laboured for the Reform of India.'

Mrs. Besant proposed another amendment and opined thus: "That this Congress welcomes the Reform Act as opening the gateway of freedom to the Indian Nation and as giving her power to walk on her own feet along the road to Responsible Government, thus forming the first substantial stage on that road, and it earnestly begs the people to take the utmost advantage of its provisions so as to reach the goal in the shortest possible time. It places on record its gratitude to Mr. Montagu and Lord Sinha for their strenuous work against greatest difficulties both in India and "Great Britain".

B.C. Pal added the following clause to the original motion. "This Congress in the meanwhile recommends that the provisions of the Reform Act be used as far as possible with a view to secure full Responsible Government at an early date and it desires to record its thanks to Mr. Montagu for his labours in connection with the Reforms."

Mahomed Ali supported Pal's amendment in an Urdu speech.

Other speeches followed more or less on the same lines and ultimately a stage was reached when the leading men

put their heads together and a compromise resolution was arrived at on the main proposition on the following terms:

The first three clauses would remain unaltered but the fourth clause would be, "pending such introduction this Congress trusts that, so far as may be possible, the people will so work the Reforms as to secure an earlier establishment of full Responsible Government and this Congress offers thanks to the Rt. Hon'ble E.S. Montagu for his labours in connection with the Reforms." This was accepted as a compromise by all except Mrs. Besant. Her amendment was therefore put to the vote and was declared lost. The compromise resolution was thereafter put to the vote, Das making a speech clearly stating that co-operation when necessary to advance our cause will be offered but obstruction also when that is necessary for the advancement of our cause. "We are not opposed," he said, "to co-operation if co-operation helps us to attain our ends. We are not opposed to obstruction, plain downright obstruction, when that helps to attain our political goal. The three propositions which I moved this morning remain just as they are with the word "disappointing" at the end of the second clause. Another clause is added which includes thanks to Mr. Montagu." The compromise resolution was then put to the vote and carried. Thus ended the keen conflict between the views of Das and Tilak, inclusive of "obstruction when necessary", and Gandhi's and Jinnah's, that the reforms were to be used for the purpose of obtaining responsible Government, and not thrown away.

In his amendment proposed by Gandhi, a new clause was added with the original resolution. 'Pending such introduction, this Congress begs loyally to respond to the sentiments expressed in the Royal Proclamation, viz, 'let the new era begin with a common determination among my people and my officers to work together for a common purpose and I trust that both the authorities and the people will cooperate so to work the reforms as to secure the early

establishment of full responsible government and this Congress offers its warmest thanks to the Rt. Hon'able E.S. Montagu for his labours in connection with them.'

While launching a severe indictment against General Dyer and other officials, Mrs. Annie Besant observed, 'We indict these officials on their own words spoken with a shamelessness that they did not realise apparently the criminality of what had happened, but spoke it out in public as though nothing had been done. Now there are two kinds of offences, private and public. Where a private wrong is done, where an offence is committed against an individual, there the individual has the right to forgive and forget the injury inflicted. But where wrong has been committed against the helpless and defenceless, where force has been used against unresisting and harmless crowds, where the massacre only stopped when the ammunition was exhausted, when, in a closed space, from where none could escape, the General commanding directed the fire on the outlets of the closed space, until they were choked with the bodies of the dead and of the dying, then it is not a private wrong to be forgiven, but it is a public wrong to be punished.'

The Congress protested against the attempt being made in South Africa and particularly the Transvaal to deprive the Indian settlers of the rights of property and trade hitherto enjoyed by them, and wished that the Government of India would secure the repeal of the recently enacted legislation and otherwise ensure the protection of the status of the Indian settlers in South Africa. It was of opinion that the anti-Indian agitation now going on in East Africa was utterly unscrupulous and trusted that the Government of India would safeguard the right of free and unrestricted emigration from India to East Africa and the full civil and political rights of the Indian settlers in East Africa including the East African territory conquered from Germany.

The Congress resolved that having regard to the correspondence between the Lieutenant-Governor of the Punjab and Pandit Madan Mohan Malaviya and M.K. Gandhi, and between Lord Hunter and Pandit Malaviya, this Congress was of opinion that H.H. the Lieutenant-Governor's action in not permitting even a few of the Punjab leaders undergoing imprisonment to attend and sit in the committee room even as prisoners under custody to assist and instruct counsel constituted a serious injustice and that it left no other course open to the Sub-Committee of the Congress to take than the one taken by it; it therefore endorsed and approved of the firm and dignified action taken by the sub-committee and its appointing committee to make an investigation and submit a report.

Resolved that this Congress while fully recognising the grave provocation that led to a sudden outburst of mob frenzy, deeply regrets and condemns the excesses committed in certain parts of the Punjab and Gujarat resulting in the loss of lives and injury to person and property during the month of April last.

'Resolved that, in view of the fact that neither the Hunter Committee nor the Congress Commission has finished its examination of witnesses and issued its Report, this Congress, while expressing its horror and indignation at the revelations already made and condemnation of the atrocities admitted, refrains from urging any definite steps to be taken against the offenders, yet, having regard to the cold-blooded, calculated massacre of innocent men and children, an act without parallel in modern times, it urges upon the Government of India and Secretary of State that, as a preliminary to legal proceedings being taken against him, General Dyer should be immediately relieved of his command.'

In view of the oppressive regime of Michael O'Dwyer in the Punjab and the admitted facts brought out before Hunter Committee, that he approved of and endorsed

General Dyer's massacre at the Jallianwalla Bagh, the Congress called upon His Majesty's Government to relieve Michael O' Dwyer of his present duties in this country as member of the Army Commission, as a preliminary to necessary legal action being taken against him.

The Congress offered its respectful condolence to the relatives of those persons whether English or Indian who were killed and sympathy to those who were wounded or incapacitated during the April disturbances. It also resolved that the site known as Jallianwala Bagh in Amritsar be acquired for the nation and be registered in the names of Pandit Madan Mohan Malaviya and Pandit Motilal Nehru as trustees, and that it be used as a memorial to perpetuate the memory of those who were killed or wounded on the 13th day of April during the massacre by General Dyer, and in order to give effect to the intention of the Congress the following were appointed as members of the Committee: 1. Pandit Madan Mohan Malaviya, 2. Pandit Motilal Nehru, 3. Mahatma Gandhi, 4. Swami Shraddhananda, 5. Lala Girdhari Lal, 6. Dr. Saifud Din Kitchlew, and 7. Lala Harkishen Lal.

The Congress also decided that it was impossible to have real peace in India until the legislation popularly known as the Rowlatt Act which was passed in the face of unanimous opposition in the country was repealed, and it therefore respectfully urged upon the Secretary of State for India to advise His Majesty to veto the said Act or otherwise to secure its repeal.

It was passed that in view of the fact that Lord Chelmsford had completely forfeited the confidence of the people of this country, this Congress beseeched His Imperial Majesty to immediately recall the Viceroy. It further decided that India was fit for full responsible government, the Reforms Act was inadequate, unsatisfactory and disappointing and that parliament should take early steps to

establish full responsible government in India in accordance with the principle of self-determination.'

The Congress protested against the hostile attitude of some of the British ministers towards the Turkish and Khilafat question as disclosed by their utterances and most earnestly appealed to, and urged upon His Majesty's Government to settle the Turkish question in accordance with the just and legitimate sentiments of Indian Muslims and the solemn pledges of the Prime Minister without which there could be no real contentment among the people of India. It was also resolved that no Indian subject of His Majesty shall be liable to suffer in liberty, life, property or in respect of free speech or writing or of the right of association, except under sentence by an ordinary Court of Justice and as a result of lawful and open trial.

'That the press shall be free and that no licence or security shall be demanded on the registration of a press or a newspaper; that corporal punishment shall not be inflicted on any subject of His Majesty save under conditions applying equally to all other British subjects and that all laws, ordinances and regulations now or hereafter in existence, that are in any wise inconsistent with the provisions of this Statute, shall be void and of no validity whatever.'

It was decided that the promotion of *Swadeshi* movement to its utmost extent was essential for national progress and prosperity and as over 73 per cent of the population of India was agricultural and poor, a revival of the ancient industry of hand-spinning and hand-weaving should be given priority.

The Congress appreciated the valuable services rendered by Lala Lajpat Rai to the cause of the country by his earnest and self-sacrificing efforts of constitutional agitation in the United States of America by representing the view of the Congress before proper authorities in America in the matter of the demand for self-government

and self-determination for India and requested him to continue his efforts as before.

It recorded its condemnation of the unjust treatment meted out to university and school students in the Punjab under the direct, or indirect, instruction of martial law authorities, and hoped that immediate Steps would be taken by local government to cancel all punishments awarded to students without trial.

The Congress demanded the immediate repeal of the Indian Press Act and recorded its emphatic disapproval of the wholly unjustifiable deportation of B.G. Horniman and urged on the Viceroy the immediate cancellation of the order.

It was passed that Delhi should be constituted into a Regulation Province and that it should have a Legislative Council to assist the Chief Commissioner and at least two representatives in the Legislative Assembly and two seats on the Legislative Assembly be allotted to Ajmer-Merwara and British Rajputana out of the additional seats provided by the Joint Parliamentary Committee on the Reform Bill.

Besides the Congress considered that there was no justification for the exclusion of Burma from the operation of the new Government of India Act and was of opinion that in accordance with the wishes of the people of Burma, the same reforms as applied to the major provinces should also be applied to Burma.

Jawaharlal Nehru stated in his *Autobiography* about the historic significance of the Congress session at Amritsar: "The Amritsar Congress was the first Gandhi Congress. Lokamanya Tilak was also present and took a prominent part in the deliberations, but there could be no doubt about it that the majority of the delegates, and even more so the great crowds outside, looked to Gandhi for leadership. The slogan *Mahatma Gandhi Ki Jai* began to dominate the Indian political horizon. The Ali Brothers,

recently discharged from internment, immediately joined the Congress, and the national movement began to take a new shape and develop a new orientation.

Undoubtedly, the session had much historic significance as it was presided over by a prominent political leader of the caliber of Pandit Motilal Nehru and the comprehensive speech he delivered at this occasion. The president levelled a trenchant criticism against the British government for its non-fulfilment of promises which it had made earlier to the people of India. Indeed the pledges, he stated made by the British statesmen had been forgotten. He also advised the people to become conscious of their rights and wage a non-violent war to achieve them.

Motilal Nehru showered a word of praise on the people of the Punjab for their sense of bravery, determination, fearlessness and selfless service for the cause of the nation which they had shown at Amritsar and other places through their physical and economic sufferings. In this regard, he detailed the consistent anti-British agitation which occurred in the Punjab on the eve of the *Komagata Maru* incident. This episode had greatly awakened the conscience of the people towards the misrule of the British bureaucracy in India from whom it was not possible to expect fair justice. To substantiate his point, he mentioned about the 'effective power' used during the administration of Michael O' Dwyer who used the existing laws with all kinds of severity.

The president had a severe dig on the Rowlatt legislation which he described as the "negation of law and justice". He was also critical of the tortures, numerous arrests and conviction of innocent people without any kind of *vakil*, appeal or *daleel*. This kind of behaviour was labelled as insulting and degrading which left an ugly blot on the Indian statute book.

A major portion of the presidential speech was devoted to the inhuman treatment meted out to the people of Amritsar. Whereas the deportations of Dr. Saifud Din

Kitchlew and Dr. Satyapal were described as administrative blunders on the part of British bureaucracy, public flogging, orders of crawling and other illegal orders which led to inhuman tortures of various sections of society were condemned as indecent and brutal in their nature. Besides the act of bombing on innocent people of Gujranwala was severely criticised.

The president also touched upon the process of constitutional development in India and criticised the government for ignoring the insistent demand of the country for a declaration of rights. The question of Khilafat and its significance in terms of its political implications—both national and international—was reiterated by him. The other prominent issues taken up were the condition of Indians in South Africa, Smuts-Gandhi settlement, question of indentured labour, *swadeshi*, sufferings of B.G. Horniman and last but not the least, the implications of the Montagu-Chelmsford Reforms. Talking of reforms, he emphatically declared that Indians would not rest content till they had gained the full measure of that demand.

The chairman of the reception committee, Swami Shraddhananda was critical of the tragedy at Jallianwala Bagh and the martial law promulgated by Michael O' Dwyer in some districts of the Punjab. He had a dig on the doings of General Dyer and Colonel Johnson who mismanaged the whole administrative machinery and used it against the innocent and nonviolent people. He was much critical of the prevailing system of education and deplored the western methods of eating, drinking and dressing. He above all, spelt-out the idea of national education to be imparted to the youths of India.

Numerous resolutions passed at this session of the Indian National Congress dealt with the plight of Indians living in Transvaal indenture labour in Fiji, appreciation of the services rendered by C.F. Andrews in the Punjab, Fiji, East and South Africa; investigations of the Disorders

Inquiry Committee; excesses committed by the government in the Punjab and Gujrat; calculated massacre of innocent men and children, oppressive measures undertaken by Michael O'Dwyer, sympathy for persons who lost their lives in April disturbances, raising a memorial at Jallianwala Bagh and formation of a committee to execute such a plan, veto of the Rowlatt Act, release of all political prisoners, recall of the Viceroy of India on account of the forfeiture of his confidence of the people of the country, demand for full responsible government, inadequacy of the Reforms Act, protest against the doings of some of the British ministers towards the Turkish and Khilafat questions, guarantee of civil rights by the government, freedom of press, invalidity of all laws, revival of ancient industry of hand-spinning and hand-weaving, appreciation for the services rendered by the members of the British Labour Party, promotion of labour unions for the improvement of social, economic and political conditions of the people, appreciation of the assistance rendered by the British Congress Committee, appreciation of the resolution of the All-India Muslim League, recommending the discontinuance of the slaughter of cows in India on *Bakr-Id* festival, condemnation of Martial Law used against students, unjust deportation of B.G. Horniman, re-examination of the revenue system in India, recommendations for a Legislative Council to assist the Chief Commissioner of Delhi, extension of reforms to Burma and last but not the least, the decision to hold the next session of the Indian National Congress in Nagpur.

The members of the Congress thus dispersed with the deep feelings of sympathy for those who had suffered inexplicable insults, indignities, tortures and economic jesses. It felt much concern, about their arrests, convictions, deportation and deaths. It made the people realise that the cause they were pleading was for their innocent and non-violent brethren. This kind of feeling soon spread in every nook and corner of India. A few months ahead in

the year were indeed most crucial in its dimensions and a most significant decision was made to launch an all-India movement with a deep involvement of the masses of the country under the leadership of Mahatma Gandhi. The event of 1919 and the question of the Khilafat formed the deep linkage of this kind of decision which was approved by the leadership of the Congress party. It was indeed an all-India movement in which the mass participation was a glaring phenomenon.

Montagu-Chelmsford Reforms, 1919

The Morley-Minto scheme came about the same time as the Decentralization Commission, which was an attempt to get rid of the concentration of functions in the hands of the Central Government of the Indian Empire. This concentration was natural enough and really resulted from various reforms that were made in the administration; as such reforms could only be made by the central authority there was a tendency for that authority to keep a certain amount of control when new conditions were introduced. The ideas of the time fitted in with the oriental dependence upon government and possibly the Royal Titles Act of 1876, under which the Queen assumed the title of Empress of India told in the same direction. The result of the labours of the commission was to relax the control of the Central Government over the local authorities in many matters of detail, to free local bodies to some extent from official interference, and give greater powers both in the government of India and in provincial Governments to the heads of departments. Before, however, we consider the more important changes which followed, we must mention the Government of India Act, 1912, which dealt with the new arrangements made necessary by the recent statute passed in 1915, and known as the Government of India Act, 1915 (5 & 6 Geo. V. c. 61). The latter substituted one

general enactment for nearly all of those which went before, and which dealt with the Indian constitution of India. It was slightly amended in 1916, and is with the amending Act printed in the Appendix.

On August 20, 1917 (says the Montagu-Chelmsford Report), the Secretary of State for India made the following announcement in the House of Commons:

The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration, and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible, and that it is of the highest importance as a preliminary to considering what these steps should be that there should be a free and informal exchange of opinion between those in authority at home and in India. His Majesty's Government have accordingly decided, with His Majesty's approval, that I should accept the Viceroy's invitation to proceed in India to discuss these matters with the Viceroy and the Government of India, to consider with the Viceroy the views of local Governments, and to receive with him the suggestions of representative bodies and others.

I would add that progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each, advance, and they must be guided by the co-operation received from those upon whom new opportunities of service with thus be conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility.

Ample opportunity will be afforded for public discussion of the proposals which will be submitted in due course to Parliament.

As a result of this announcement the Secretary of State, Mr. Montagu, went to India, and after lengthy consideration with the Viceroy, Lord Chelmsford, the Montagu-Chelmsford Report on Indian Constitutional Reforms was made public in 1918. It was much more than a mere advance on the old lines of council government. It suggested practically the rapid introduction of Western methods of representative government into India, and the development of institutions with that end in view.

The authors of the Report laid down four formulae:

- (1) There should be, as far as possible, complete popular control in local bodies and the largest possible independence for them of outside control.
- (2) The provinces are the domain in which the earlier steps towards the progressive realization of responsible government should be taken. Some measure of responsibility should be given at once, and our aim is to give complete responsibility as soon as conditions permit. This involves at once giving the provinces the largest measure of independence, legislative, administrative, and financial, of the government of India, which is compatible with the due discharge by the latter of its own responsibilities.
- (3) The Government of India must remain wholly responsible to Parliament, and saving such responsibility, its authority in essential matters must remain indisputable, pending experience of the effect of the changes now to be introduced in the provinces. In the meantime, the Indian Legislative Council should be enlarged and made

more representative, and its opportunities of influencing Government increased.

- (4) In proportion as the foregoing changes take effect, the control of Parliament and the Secretary of State over the Government of India and provincial Governments must be relaxed.

The Report, of which these were the basic propositions, contained various important recommendations. They were largely general in nature and had to be completed in detail before legislation could carry them into action. The best plan, perhaps, will be to give in the first place, with some expansion, the summary which the authors of the Report gave of their own proposals; we can then draw attention to the extent to which they were carried out. The numbers in brackets refer to the paragraphs in the Report.

Parliament and the India Office

“1. The control of Parliament and the Secretary of State to be modified.

“It now remains for us to examine the effect of our proposals upon the position of the Secretary of State for India in Council and the control which Parliament exercises through him over all the Government in India. We have already explained how the Act of 1858, which brought the East India Company to an end, set up the Secretary of State with the Council of India to assist him, as the Minister of State, responsible for Indian Affairs. In the language of the existing law the Secretary of State has power to ‘superintend, direct, and control all acts, operations, and concerns which relate to the government or revenue of India and all grants of salaries, gratuities, and allowances, and all other payments and changes, out of or on the revenues of India.’ Again, section 21 of the Government of India Act, 1915, reads as follows: ‘The expenditure of the revenues of India, both in British India and elsewhere, shall be subject

to the control of the Secretary of State in Council; and no grant or appropriation of any part of those revenues, or any other property coming into the possession of the Secretary of State in Council by virtue of the Government of India Act 1858, or this Act, shall be made without the concurrence of a majority of votes at a meeting of the Council of India. (290)"

"It has been of course impossible in practice that the affairs of a vast and remote Asiatic dependency should be administered directly from Whitehall and, as we have seen, large powers and responsibilities have always been left by the Government of India to local governments. At the same time the Secretary of State's responsibility to Parliament has set very practical limits to the extent of the delegation which he can be expected to sanction. Now that His Majesty's Government have declared their policy of developing responsible institutions in India we are satisfied that Parliament must be asked to assent to set certain bounds to its own responsibility for the internal administration of that country. It must, we think, be laid down broadly that in respect of all matters in which responsibility is entrusted to representative bodies in India, Parliament must be prepared to forego the exercise of its own power of control, and that this process must continue *pari passu* with the development of responsible government in the provinces and eventually in the government of India. The process should, we think, begin with the conclusions arrived at on the report of the Committee which will consider the question of the transferred subjects. Having taken their report and the views of the Government of India upon it into consideration the Secretary of State would, we imagine, ask Parliament's assent to his declaring by statutory orders which he would be empowered to make under the Act that such and such subjects in the various provinces had been transferred; and when Parliament had assented to such orders, the Secretary of State would cease to control the administration of the subjects which they covered. The

discussion of such matters By Parliament in future would be governed by the fact of their transfer. We appreciate the difficulties of the situation, but it must be recognized that it will be impossible for Parliament to retain control of matters which it has deliberately delegated to representative bodies in India. At the same time it will be necessary to ensure that the Secretary of State is in a position to furnish Parliament with any information upon Indian affairs that it desires; and nothing in our proposals should be taken as intended to impair the liability of the Government of India and the provincial Governments to furnish such information to the Indian Office at any time. (291)"

"So far we have had in mind only the transferred subjects. But even as regards reserved subjects while there cannot be any abandonment by Parliament of ultimate powers of control, there should, administrative authority as will leave the Government of India free, and enable them to leave the provincial Governments free, to work with the expedition that is desirable. On the purely financial side this delegation will involve an examination of the various codes and other regulations and orders, which we have already described as limiting too strictly the power of the authorities in India. This matter is already being examined in India and the Government of India will make proposals to the Secretary of State in Council. On the purely administrative side there are as we have seen no general orders, like those embodied in the financial codes, prescribing the matters for which the Secretary of State's sanction is required. But in an earlier chapter we gave an illustrative list of the subjects regarded as falling within that category; and generally speaking it is well understood that all important new departures require his previous approval. The drawing of the line between the important and unimportant can only be left to the common sense of the authorities in India and at home. But we are agreed that a wider discretion ought henceforth to be left to the Governor-General in Council; and that certain matters which are now referred

home for sanction might in future be referred merely for the information of the Secretary of State in Council. The exact definition of these particular matters must also be pursued at greater leisure, and the Government of India will take this question in hand. It will follow in such cases in future that when the policy of the executive government in India is challenged, Parliament must be asked to accept the explanation that in accordance with deliberate policy the government of India have been given discretion in respect of the topic in question and that for this reason the Secretary of State is not prepared to interfere with what has been settled in India. It is not part of our plan to make the official Governments in India less amenable to the control of Parliament than hitherto, it must be for Parliament itself to determine the limits which it will set to the exercise of its own powers. On the other hand intervention by Parliament may involve intervention by the Government of India in matters which otherwise would be recognized as of provincial concern, it will be distracting both to the Government of India and the provincial Governments if the operation of this principle of discretionary delegation is left either to the idiosyncrasies of Secretaries of State, or to the disposition of party forces in Parliament. We hope therefore that Parliament will assent to facilitate the working of our reforms by a provision authorizing the Secretary of State, by rules to be laid before Parliament, to divest himself of control of the Government of India in some specified matters even although these continue to be the concern of the official Governments, and to empower the Government of India to do likewise in relation to provincial governments. On large matters of policy in reserved subjects there can of course be no question of such delegation. (292)"

"2. The salary of the Secretary of State for India to be transferred to the Home Estimates. (294)"

"3. The House of commons to be asked to appoint a Select Committee on Indian affairs at the beginning of every Session. (295)"

4. A committee to be appointed to examine and report on the present constitution of the Council of India and on the India Office establishment. (293)”

The Government of India

“5. The Government of India to preserve indisputable authority *or*, matters adjudged by it to be essential in the discharge of its responsibilities for peace, order and good government. (266)”

“6. We would ask that His Majesty may be graciously pleased to approve the institution of a Privy Council for India. From time-to-time projects of this kind have been mooted and laid aside; but with the changed conditions we believe that such a body would serve a valuable purpose and do useful work, foils, for all its changing ideas, is still ready to look up with pride and affection to any authority clothed with attributes that it can respect and admire. Appointments to the Privy Council should be made by the King-Emperor and for life, which would ensure that they would be valued as a high personal distinction. Officials and non-officials, both from British India and the Native States, would be eligible; but it would be necessary to confine appointment to those who had won real distinction, or had held or were holding the highest offices such as members of the Government, Ruling Princes, Members of the Council of State, and High Court Judges. Indian Privy Councillors should enjoy the title of ‘Honourable’ for life. The Privy Council’s office would be to advise the Governor-General when he saw fit to consult it on questions of policy and administration. It is our hope that for one purpose or another committees of the Privy Council comparable to those of the Privy Council in England, which have done such valuable work in connection with industrial and scientific research and education, will be appointed. (287)”

The Executive

"7. To increase the Indian elements in the Governor-General's Executive Council. (272)"

"8. To abolish the present statutory maximum for the Executive Council and the Statutory qualification for seats. (271)"

"9. To take power to appoint a limited number of members of the legislature to a position analogous to that of Parliamentary Under Secretaries in Great Britain. (275)"

The Legislative

"10. To replace the present Regulative Council of the Governor-General by a Council of State and a Legislative Assembly. (273-8)"

"11. The Council of State to consist of 50 numbers (exclusive of the Governor-General, who would be President, with power to appoint a Vice-President who would normally take his place). Of the members there would be 21 elected members to whom 15 would be returned by the non-official members of the provincial legislative councils, each council returning two members, either than those of Burma, the Central Provinces and Assam which would return one member each, Elected members returned to the Council of State would vacate any seats they occupied on the Provincial Council or the Legislative Assembly. The remaining six members are intended to supplement the representation which the Mohammedans and the landed classes would otherwise secure; and also to provide for the representation of chambers of commerce. Each of these three interests should, we suggest, return two members directly to the Council of State. Of the 29 nominated members, four to be non-officials and not more than twenty-five to be officials including the members of the Executive Council. (277)"

"The life of each Council of State to be five years. (278)"

“The Governor-General in Council to frame regulations as to the qualifications for membership of the Council of State. (278)”

12. We recommend that the strength of the legislative council to be known in future as the Legislative Assembly of India, should be raised to a total strength of about 100 members, so as to be far more truly representative of British India. We propose that two-thirds of this total should be returned by election; and that one-third should be nominated by the Governor-General, of which not less than a third again should be non-officials selected with the object of representing minority or special interests. We have decided not to present to His Majesty's Government a complete scheme for the election of the elected representatives; our discussions have shown us that we have not the data on which to arrive at any sound conclusions. Some special representation, we think, there must be, as for European and Indian commerce, and also for the large landlords. There should be also communal representation for Mohammedans in most provinces and also for Sikhs in the Punjab. There is no difficulty about direct election in the case of special constituencies. It is in respect of the general or residuary electorate, including therein the communal electorates for Mohammedans and Sikhs, that complexities present themselves. Our decided preference is for a system of direct electorates, but the immensity of the country makes it difficult, it may be impossible, to form constituencies of reasonable size in which candidates will be able to get into direct touch with the electorate. (273)”

“The suggestion we have made for the number of elected members was based on the calculation that the three presidencies would be represented by 11 members each—the United Provinces by 10, the Punjab and Bihar and Orissa by 7 each, the Central Provinces by 5, Burma by 3 and Assam by 2. We also think that in view of the importance of the Delhi province as the Imperial enclave and the seat

of the Central Government, it should be represented by a member. (274)”

“The life of each Legislative Assembly to be three years”.

“The President of the Assembly to be nominated by the Governor-General. (275)”

“13. Official members of the Council of State to be eligible also nomination to the Legislative Assembly (277)”

“14. The Governor-General to have power to dissolve either the Council of State or the Legislative assembly. (283)”

“15. The following procedure to be adopted for legislation (279-282).

(a) *Government bills*: ordinarily to be introduced and carried through the usual stages in the Assembly, and if passed by the Assembly to be sent to the Council of State, if the Council of State amend the bill in a manner which is unacceptable to the Assembly, the bill to be submitted to a joint session of both houses, unless the Governor-General in Council is prepared to certify that the amendments introduced by the council are essential to the interests of peace and order or good government (including in this term sound financial administration), in which case the Assembly not to have power to reject or modify such amendments. But in the event of leave to introduce being refused or the bill being thrown out at any stage the Governor-General in Council to have the power, on certifying that the bill is within the formula cited above, to refer it *de novo*, to the Council of State. The Governor-General in Council also to have the power in cases of emergency so certified to introduce the bill in the first instance in and to pass it through the Council of State, merely reporting it to the Assembly.

(b) *Private bills*: to be introduced in the chamber of which the mover is a member and on being passed by

that chamber to be submitted to the other. Differences of opinion between the chambers to be settled by means of joint sessions. If, however, a bill emerge from the Assembly in a form which the Government think prejudicial to good administration, the Governor-General in Council to have power to certify it in the terms already cited and to submit or resubmit it to the Council of State: the bill only to become law in the form given it by the Council. (280)"

"16. Resolutions to have effect only as recommendations. (284)"

"17. The Governor-General and the Crown to retain their respective powers of assent, reservation; or disallowance. (283)"

"18. The Governor-General to retain his existing power of making Ordinances and the Governor-General in Council his power of making Regulations. (276 and 283)"

"19. Nominated official members of the Council of State or the Legislative Assembly to have freedom of speech, and vote except when Government otherwise directs. (275)"

"20. Any member of the Council of State or the Legislative Assembly to be entitled to ask supplementary questions. The Governor-General not to disallow a question on the ground that it cannot be answered consistently with the public interest, but power to be retained to disallow a question on the ground that the putting of it is inconsistent with the public interest. (236 and 236)"

"21. Rules governing the procedure for the transaction of business in the Council of State and the Legislative Assembly to be made in the first instance by the Governor-General in Council. The Legislative Assembly and the Council of State to be entitled to modify their rules, subject to the sanction of the Governor-General. In each case such modifications not to require the sanction of the Secretary of State in Council and not to be laid before Parliament. (286)"

"22. Joint Standing Committees of the Council of State and the Legislative Assembly to be associated with as many departments of Government as possible. The Governor-General in Council to decide with which departments Standing Committees can be associated and the head of the department concerned to decide what matters shall be referred to the Standing Committee. Two-thirds of each Standing Committee to be elected by ballot by the nonofficial members of the Legislative Assembly and the Council of State, one-third to be nominated by the Governor-General in Council. (285)"

The Provinces

"23. The Provincial Governments to be given the widest independence from superior control in legislative, administrative, and financial matters which is compatible with the due discharge of their own responsibilities by the Government of India. (189)"

"24. Responsible government in the provinces to be attained first by the devolution of responsibility in certain subjects called here-after the transferred subjects (all other subjects being called reserved subjects), and then by gradually increasing this devolution by successive stages until complete responsibility is reached. (215, etc.)"

Provincial Executives

"25-29. We propose therefore that in each province the executive Government should consist of two parts. One part would comprise the head of the province and an executive council of two members. In all provinces the head of the Government would be known as Governor, though this common designation would not imply any equality to emoluments or status, both of which would continue to be regulated by the existing distinctions, which seem to us generally suitable. One of the two executive councillors

would in practice be a European qualified by long official experience, and the other would be an India. It has been urged that the latter should be an elected member of the provincial Legislative Council. It is unreasonable that choice should be so limited. It should be open to the Governor to recommend whom he wishes. In making his nominations, the Governor should be free to take into consideration the names of persons who had won distinction whether in the Legislative Council of any other field. The Governor in Council would have charge of the reserved subjects. The other part of the government would consist of one member or more than one member, according to the number and importance of the transferred subjects, chosen by the Governor from the elected members of the Legislative Council. They would be known as ministers. They would be members of the executive Government but not members of the executive council; and they would be appointed for the life-time of the Legislative Council, and if re-elected to that body would be re-eligible for appointment as members of the executive. As we have said, they would not hold office at the will of the legislature but at that of their constituents. We make no recommendation in regard to pay. This is a matter which may be disposed of subsequently. (218)"

"The portfolios dealing with the transferred subjects would be committed to the ministers, and on these subjects the ministers together with the Governor would form the administration. On such subjects their decisions would be final, subject only to the Governor's advice and control. We do not contemplate that from the outset the Governor should occupy the position of a purely constitutional Governor who is bound to accept the decisions of his constitutional Governor who is bound to accept the decisions of his ministers. Our hope and intention is that the ministers will gladly avail themselves of the Governor's trained advice upon administrative questions, while on his part he will be willing to meet their wishes to the furthest possible extent, in cases where he realizes that they have

the support of popular opinion. We reserve to him a power of control, because we regard him as generally responsible for his administration, but we should expect him to refuse assent to the proposals of his ministers only when the consequences of acquiescence would clearly be serious. Also we do not think that he should accept without hesitation and discussion proposals which are clearly seen to be the result of inexperience. But we do not intend that he should be in a position to refuse assent at discretion to all his ministers' proposals. We recommend that for the guidance of Governors in relation to their ministers, and indeed on other matters also, an instrument of Instructions be issued to them on appointment by the Secretary of State in Council (219)"

"There is another provision which we wish to make. The Governor may be himself unfamiliar with Indian conditions; and his Government, constituted as we have proposed, will contain only one European member. He will thus normally have only one member with official experience. In some provinces where the Governor is himself an official and thoroughly familiar with the requirements of the province, the advice and assistance of one official colleague may suffice. But in oilier cases this will not be so. We propose therefore that the Governor should appoint, if he chooses, one or two additional members of his Government as members without portfolio for purposes of consultation and advice. It is true that it is always open to the Governor to seek the advice of any of his officials; but that is not the same thing as appointing them to be members of the Government with the status and authority attaching to such office. The additional members would still discharge the functions of, and draw the pay attached to, their substantive appointments. (220)"

"It is our intention that the Government thus composed and with this distribution of functions shall discharge them as one Government. It Is highly desirable that the executive should cultivate the habit of associated deliberation and

essential that it should present a united front to the outside. We would therefore suggest that, as a general rule, it should deliberate as a whole, but there must certainly be occasions upon which the Governor will prefer to discuss a particular question with that part of his Government directly responsible. It would therefore rest with him to decide, whether to call a meeting of his whole Government of either part of it, though he would doubtless pay special attention to the advice of the particular member or minister in charge of the subjects under discussion. The actual decision on a transferred subject would be taken, after general discussion, by the Governor and his ministers; the action to be taken on a reserved subject would be taken, after similar discussion, by the Governor and the other members of Iris Executive Council, who would arrive at their decision in the manner provided in the existing statute. The additional members, if present, would take their share in the discussion, but would in no case take a part in the decision. At a meeting of the whole government there would never be, in fact, any question of voting, for the decision would be left, as we have stated, to that part of the Government responsible for the particular subject involved. But there are questions upon which the functions of the two portions of the Government will touch or overlap, such for instance as decisions on the budget or on many matters of administration. On these questions, in case of a difference of opinion between the ministers and the Executive Council it will be the Governor who decides. (221)"

30. Power to be taken to appoint a limited number of members of the Legislative Council to a position analogous to that of Parliamentary Under Secretaries in Great Britain. (224)"

Provincial Legislatures

"31. In each province an enlarged Legislative Council with a substantial elected majority to be established. The

Council to consist of (1) Members elected on as broad a franchise as possible, (2) nominated (*a*) official and (*b*) non-official members, (3) *ex officio* members. The franchise and the composition of the Legislative Council to be determined by regulations to be made on the advice of the committee described in paragraph 53 (later) by the Governor-General in Council, with the sanction of the Secretary of State, and laid before Parliament. (225, 232, 233)"

"With regard to the system of election and the franchise the following suggestions are made: (1) That the system of indirect elections should be swept away. (2) That the limitations of the franchise, which it is obviously desirable to make as broad as possible, should be determined rather with reference to practical difficulties than to any *a priori* considerations as to the degree of education or amount of income which may be held to constitute a qualification. (3) That any system of communal electorates is a very serious hindrance to the development of the self-governing principle. It is opposed to the teaching of history; it perpetuates class divisions; and it stereotypes existing relations. But that communal electorates should be maintained for Mohammedans in provinces where they are in the minority. The same system may be extended to the Sikhs of the Punjab. For the minorities the method of nomination may suffice. (226, 227, 228, 229, 230, 231, 232)"

"32. The Governor to the President of the Legislative Council with power to appoint a Vice-President. (236)"

"33. The Governor to have power to dissolve the Legislative Council. (254)"

"34. Resolution (except on the budget) to have effect only as recommendations. (237)"

"35. Nominated official members to have freedom of speech and vote except when Government otherwise directs. (233)".

“36. Any members of the Legislative Council to be entitled to ask supplementary question. (236)”

“37. The existing rules governing the procedure for the transaction of business to continue, but the Legislative Council to have power to modify them with the sanction of the Governor. (236)”

“38. Standing Committees of the Legislative Council to be formed and attached to each department, or to groups of departments. These Committees to consist of members elected by the Legislative Council, of the heads of the departments concerned, and the Member or Minister, who would preside. (235)”

“39. Legislation on all subjects normally to be passed in the Legislative Council. Exceptional procedure is provided in the succeeding paragraphs. (252)”

“40, The governor to have power to certify that a bill dealing with reserved subjects is essential either for the discharge of his responsibility for the peace or tranquillity of the province or of any part thereof, or for the discharge of his responsibility for reserved subjects. The bill will then, with this certificate, be published in the Gazette. It will be introduced and read in the Legislative Council, and, after discussion on its general principles, will be referred to a grand committee but the Legislative Council may require the Governor to refer to the Government of India, whose decision shall be final, the question whether he has rightly decided that the bill which he has certified was concerned with a reserved subject.

The Governor not to certify a bill if he is of opinion that the question of the enactment of the legislation may safely be left to the Legislative Council. (252)”

“41. The grand committee (the composition of which may vary according to the subject-matter of the bill) to comprise from 40 to 50 per cent of the Legislative Council.

The members to be chosen partly by election by ballot, partly by nomination. The Governor to have power to nominate a bare majority (in addition to himself), but not more than two-thirds of the nominated members to be officials. (252)”

“42. The bill as passed in grand committee to be reported to the Legislative Council, which may again discuss it generally within such time limits as may be laid down, but may not amend it except on the motion of a Member of the Executive Council or reject it. After such discussion the bill to pass automatically, but during such discussion the Legislative Council may record by resolution any objection felt to the principle or details and any such resolution to be transmitted with the Act to the Governor-General and the Secretary of State. (253)”

“43. Any Member of the Executive Council to have the right to challenge the whole or any part of a bill on its introduction, or any amendment when moved, on the ground that it trenches on the reserved field of legislation. The Governor to have the choice then either of allowing the bill to proceed in the Legislative Council, or of certifying the bill, clause, or amendment. If he certifies the bill, clause, or amendment the Governor may either decline to allow it to be discussed, or suggest to the Legislative Council an amended bill or clause, or at the request of the Legislative Council refer the bill to a grand committee. (254)”

“44. All provincial legislation to require the assent of the Governor and the Governor-General and to be subject to disallowance by His Majesty. (254)”

“45. The veto of the Governor to include power of return for amendment. (254)”

“46. The Governor-General to have power to reserve provincial Acts. (254)”

“47. A complete separation to be made between Indian and provincial heads of revenue. (200, 201)”

“48. Provincial contributions to the Government of India to be the first charge on provincial revenues. (206 and 256)”

“49. Provincial Governments to have certain power of taxation and of borrowing. (210, 211)”

“50. The budget to be laid before the Legislative Council. If the Legislative Council refuses to accept the budget proposals for reserved subjects the Governor in Council to have power to restore the whole or any part of the original allotment, on the Governor’s certifying that, for reasons to be stated, such restoration is in his opinion essential either to the peace or tranquillity of the province or any part thereof, or to the discharge of his responsibility for reserved subjects. Except in so far as he exercises this power, the budget to be altered so as to give effect to resolutions of the Legislative Council. (256)”

Local Self-Government

“51. Complete popular control in local bodies to be established as far as possible. (188)”

Modification of Provincial Constitutions

“52. Five years after the first meeting of the new Councils the Government of India to consider any applications addressed to it by a provincial Government or a provincial Legislative Council for the modification of the list of reserved and transferred subjects. In such cases the Government of India with the sanction of the Secretary of State to have power to transfer any reserved subject, or in case of serious maladministration to remove to the reserved list any subjects already transferred and to have power also to order

that the salary of the Ministers shall be specifically voted each year by the Legislative Council. The Legislative Council to have the right of deciding at the same or any subsequent time by resolution that such salary be specifically voted yearly. (260)"

Preliminary Action

"53. A Committee to be appointed consisting of a Chairman appointed from England, an official, and an Indian non-official. This Committee to advise on the question of the separation of Indian from provincial functions, and to recommend which of the functions assigned to the province should be transferred subjects. An official and an Indian non-official in each province which it is at the time examining to be added to the Committee. (238)"

"54. A second Committee to be appointed, consisting of a Chairman appointed from England, two officials, and two Indian non-officials, to examining constituencies, franchises, and the composition of the Legislative Council in each province, and of the Legislative Assembly. An official and an Indian non-official in each province which it is at the time examining to be added to the Committee. (225)"

"55. The two Committees to have power to meet and confer. (238)"

Commission of Inquiry

"56. A Commission to be appointed ten years after the first meeting of the new legislative bodies to review the constitutional position both as regards the Government of India and the provinces. The names of the commissioners to be submitted for the approval of Parliament. Similar commissions to be appointed at intervals of not more than twelve years. (261)"

The Native States

“57. To establish a “Council of Princes. (306)”

“58. The Council of Princes to appoint a standing committee. (307)”

“59. The Viceroy in his discretion to appoint a commission, composed of a High Court Judge and one nominee of each of the parties, to advise in case of disputes between States, or between a State and a Local Government or the Government of India. (308)”

“60. Should the necessity arise of considering the question of depriving a Ruler of a State of any of his rights, dignities, or powers, or of debarring from succession any member of his family, the Viceroy to appoint a Commission to advise consisting of a High Court Judge, two Ruling Princes, and two persons of high standing nominated by him. (309)”

“61. All States possessing full internal powers to have direct relations with the Government of India. (310)”

“62. Relations with Native States to be excluded from transfer to the control of provincial Legislative Councils. (310)”

“63. Arrangements to be made for joint deliberation and discussion between the Council of Princes and the Council of State on matters of common interest. (287, 311)”

The Public Services

“64. Any racial bars that still exist in regulations for appointment to the public services to be abolished. (315)”

“65. In addition to recruitment in England, where such exists, a system of appointment to all the public services to be established in India. (316)”

"66. Percentages of recruitment in India, with definite rate of increase, to be fixed for all these Services. (316, 317).

"67. In the Indian Civil Service the percentage to be 33 per cent, of the superior posts, increasing annually by 1½ per cent. Until the position is reviewed by the commission (paragraph 56). (317)"

"68. Rates of pay to be reconsidered with reference to the rise in the most of living and the need for maintaining the standard of recruitment. Incremental time-scales to be introduced generally and increments to continue until the superior grade is attained. The maximum of ordinary pension to be raised to Rs. 6,000 payable at the rate of Is.9d. to the rupee, with special pensions for certain high appointments. Indian Civil service annuities to be made non-contributory, but contributions to continue to be funded. Leave rules to be reconsidered with a view to greater elasticity, reduction of excessive amounts of leave admissible, and concession of reduced leave on full pay. The accumulation of privilege leave up to four months to be considered (318-321)"

"69. A rate of pay based on recruitment in India to be fixed for all public services, but a suitable allowance to be granted to persons recruited in Europe or on account of qualifications obtained in Europe, and the converse principle to be applied to Indians employed in Europe. (322)"

The main features of the scheme were obviously the handing over a large part of the executive government to the Indians and the gradual Indianization of the services. In the Provincial governments it also introduced the new principle of "Dyarchy" (pp. 175-6). As it dealt with principles which required working out in detail, three committees were constituted, which took evidence and duly reported.

The Franchise Committee.—This was presided over by Lord Southborough and its recommendations are summarized as follows:

Composition of the Provincial Legislation Councils

I. Madras

Non-Mohammedan urban seats.	9	
Non-Mohammedan rural seats	52	
	—	61
Mohammedan urban seats	2	
Mohammedan rural seats	11	
	—	13
European seats.	1	
Anglo-Indian seats.	1	
Indian Christian seats.	3	
University seat.	1	
Zemindar's seats.	4	
Landholders (other than zemindars) seats.	3	
Planting seat.	1	
Commerce and industry seats—		
Madras Chamber of Commerce.	1	
Other European Chambers of Commerce.	1	
Southern Indian Chamber of Commerce.	2	
Madras Trades Association.	1	
	—	5
Representative appointed by nomination—		
(1) Depressed classes.	2	
(2) Excluded tracts.	2	
(3) Others.	2	
	—	6
Official seats—		
Exo-officio.	4	
Nominated.	15	
	—	19
Total.		118
To which may be added by the governor not more than Experts (official or non-official).	2	
		2
		120

The ex-officio members will be the Governor,
two members of the Executive Council, and the
Advocate-General

II. Bombay

Non-Mohammedan urban seats	11	
Non-Mohammedan rural seats.	35	
	—	46
Mohammedan urban seats.	5	
Mohammedan rural seats.	22	
	—	27
European seats.	2	
Landholders' seats	3	
University seat.	1	
Commerce and industry seats-		
Bombay Chamber of Commerce.	2	
Karachi Chamber of Commerce.	1	
Bombay Trades Association.	1	
Bombay Millowner's Association.	1	
Ahmedabad Millowners' Association.	1	
Indian Merchants' Chamber and Bureau.	1	
Cotton Trade.	1	
	—	8
Representatives appointed by nomination—		
(1) Anglo-Indians.	1	
(2) Indian Christians.	1	
(3) Depressed classes.	1	
(4) Labour.	1	
(5) Others.	2	
	—	6
Official seats—		
Ex-officio.	4	
Nominated.	14	
	—	18
Total.		111

To which may be added by the Governor not more than two experts (officials or non-official).

2

113

The ex-officio members will be the Governor, to members of the Executive Council, and the Advocate-General

III. Bengal

Non-Mohammedan urban seats.	11	
Non-Mohammedan rural seats.	30	
	—	41
Mohammedan urban seats.	6	
Mohammedan rural seats.	28	
Landholders' seats.	5	
University seats.	2	
European seats.	2	
Anglo-Indian seats.	1	
	—	44

Commerce and industry seats—

Bengal Chamber of Commerce.	4	
Jute interests.	2	
Indian Mining Association.	1	
Indian Tea Association.	1	
Tea Planters.	1	
Calcutta Trades Association.	2	
Inland Water Transport Board.	1	
Bengal National Chamber of Commerce.	1	
Marwari Association of Calcutta.	1	
Mahajana Sabha of Calcutta.	1	
	—	15

Representative appointed by nomination—

(1) Labour.	1
(2) Indian Christians.	1
(3) Depressed classes.	1
(4) Others.	2

— 5

Carried forward 105

Bengal (continued)	Brought forward	105
Official seats—		
Ex-officio.	4	
Nominated.	16	
	—	20
Total.		125
To which may be added by the Governor not more than two experts (official or non-official).	2	
	—	127
IV. United Provinces		
Non-Mohammedan urban seats.	8	
Non-Mohammedan rural seats.	49	
	—	57
Mohammedan urban seats.	4	
Mohammedan rural seats.	23	
	—	27
European seat.	1	
Taluqudars' seats.	5	
Agra landholders' seat.	1	
University seat.	1	
Commerce and industry seats—		
Upper India Chamber of Commerce.	2	
United Provinces Chamber of Commerce.	1	
	—	3
Representatives appointed by nomination—		
(1) Depressed classes.	1	
(2) Anglo-Indians.	1	
(3) Indian Christians.	1	
(4) Others.	2	
	—	5
	Carried forward	100

United Provinces (<i>continued</i>)	<i>Brought forward</i>	100
Official seats—		
Eco-officio.	4	
Nominated.	14	
	—	18
Total.		118
To which may be added by the Governor not more than two experts (official or non-official).	2	
	—	120

To ex-officio members will be the Governor, two members of the Executive Council, and the Legal Remembrancer.

V. The Punjab

General urban seats.	4	
General rural seats.	14	
	—	18
Mohammedan urban seats.	6	
Mohammedan rural seats.	22	
	—	28
Sikh seats.	8	
Landholders' seats—		
General.	1	
Mohammedan.	2	
Sikh.	1	
		4
University seat.	1	
Commerce and industry seats.	2	
Representative appointed by nomination—		
(1) Military interests.	1	
(2) Europeans and Anglo-Indians.	2	
(3) Indian Christians.	1	
(4) Others.	2	
	—	6
	<i>Carried forward</i>	67

The Punjab (<i>continued</i>)	<i>Brought forward</i>	67
Official seats—		
Ex-officio.	4	
Nominated.	12	
	—	16
Total.		83
To which may be added by the governor not more than two experts (official or non-official).	2	
	—	85
To ex-officio members will be the Governor, two members of the Executive Council, and the Legal Remembrancer.		
VI. Bihar and Orissa		
Non-Mohammedan urban seats.	6	
Non-Mohammedan rural seats.	40	
	—	46
Mohammedan urban seats.	3	
Mohammedan rural seats.	14	
	—	17
European seat.	1	
Landholders' seats.	5	
University seat.	1	
Planting seat.	1	
Mining seats—		
Indian Mining Association.	1	
Indian Mining Federation.	1	
	—	2
Representatives appointed by nomination—		
(1) Industrial interests other than planting and mining	1	
(2) Aborigines.	1	
(3) Depressed classes.	1	
(4) Domiciled Bengalis.	1	
	—	4
	<i>Carried forward</i>	77

Bihar and Orissa (<i>continued</i>)	<i>Brought forward</i>	77
(5) Anglo-Indians.	1	
(6) Indian Christians.	1	
(7) Labour.	1	
(8) Others.	2	
	—	5
Official seats—		
Ex-officio.	4	
Nominated.	12	
	—	16
Total.		98
To which may be added by the Governor not more than two experts (official or non-official).	2	
	—	100

The ex-officio members will be the Governor, two members of the Executive Council, and the Legal Remembrancer.

VII. Central Provinces and Berar

Non-Mohammedan urban seats.	9	
Non-Mohammedan rural seats.	31	
	—	40
Mohammedan urban seat.	1	
Mohammedan rural seats.	6	
	—	7
Landholder's seats.	7	
University seat.	3	
Mining seat.	1	
Commerce and industry seat.	1	
Representative appointed by nomination—		
(1) Mandla district, excluding Mandla town	1	
(2) Excluded zemindaris.	1	
(3) Depressed classes.	1	
	—	3
	<i>Carried forward</i>	62

Central Provinces and Berar (<i>continued</i>)	62
<i>Brought forward</i>	
(4) Europeans and Anglo-Indians.	1
(5) Others.	1
	— 2
Officials seats—	
Ex-officio.....	4
Nominated.	8
	— 12
Total.	76
To which may be added by the Governor not more than two experts (official or non-official).	2
	— 78

The ex-officio members will be the Governor, two members of the Executive Council, and the Legal Remembrancer.

VIII. Assam

Urban seat.	1
Non-Mohammedan rural seats.	18
Mohammedan rural seats.	12
Landholders' seats.	2
Planting seats.	5
Commerce and industry seat.	1
Representatives appointed by nomination—	
European and Anglo-Indian.	1
Indian Christian.	1
Labour.	1
Excluded tracts.	1
Others.	1
Official seats—	— 5
Ex-officio.	4
Nominated.	5
	— 9
	53

To which may be added by the Governor one expert
(official or non-official).

1

54

The ex-officio members will be the Governor, two
members of the Executive Council and the Legal
Remembrancer.

Franchise

The General disqualification exclude the following:

- (1) Women
- (2) Persons of unsound mind
- (3) Persons under 21 years of age
- (4) Subjects of any foreign State (but not of a Native State of India)

The general proposals for the franchise are based upon the principle of residence within the constituency and the possession of certain property qualifications as evidenced by the payment of land revenue, rent, or local rates in rural areas, and of municipal rates in urban areas, and of income tax generally. In tracts where the land revenue is subject to periodical revision, land revenue has been adopted as the best measure of property qualification, but in tracts where the land revenue is permanently settled, the payment of local rates, which are based upon a periodical rental valuation, has been substituted. In only rare cases, in the absence of a suitable basis of taxation, has recourse been had to a qualification based on the possession of immovable property. These principles have been departed from in that the committee recommend the enfranchisement of all retired and pensioned officers of the Indian Army, whether commissioned or non-commissioned.

The electorates will be as follows:

<i>Province</i>	<i>Total Population</i>	<i>Urban Electors</i>	<i>Rural Electors</i>	<i>Total Electors</i>
Madras	39,827,885	32,000	510,000	542,000
Bombay	19,580,312	149,000	504,000	663,000
Bengal	45,063,697	106,000	1,122,000	1,228,000
United Provinces	47,182,044	64,500	1,419,000	1,483,500
Punjab	19,565,013	77,000	160,000	237,000
Bihar and Orissa	32,446,461	58,500	517,500	576,000
Central Provinces	12,269,638	39,500	120,000	159,500
Assam	6,000,000	—	--	300,000

The qualification for candidates:

No person will be eligible for election as a Member of a Council, if such person

- (a) is not a British subject or a subject of any State in India, or
- (b) is an official, or
- (c) is a female, or
- (d) has been adjudged by a competent court to be of unsound mind, or
- (e) is under 25 years of age, or
- (f) is an uncertified bankrupt or an undischarged insolvent, or
- (g) has, in circumstances which, in the opinion of the Governor in Council, involve moral turpitude, been
 - (1) dismissed from the service of Government, or
 - (2) sentenced by a criminal court to imprisonment (such sentence not having subsequently been reversed or remitted, or the offender pardoned), or

- (h) has been dismissed or is under suspension from practicing as a legal practitioner by order of any competent court.

Provided that in cases (g) and (h) the disqualification may be removed by an order of the Governor in Council in this behalf.

1. In the case of Madras the candidate for an urban or rural constituency must be registered as an elector in an urban or rural constituency within the presidency; a candidate for a European, Anglo-Indian, Indian Christian, zemindars', landholders' (other than zemindars'), university, planting or commerce and industry constituency must be registered as an elector in the constituency for which he seeks election.
2. In the case of Bombay, the Central Provinces, and the Punjab the candidate must be registered as an elector in the constituency for which he seeks election.
3. In the case of Bengal, the candidate for an urban or rural constituency must be registered as an elector in an urban or rural constituency within the presidency; a candidate for a European, Anglo-Indian, landholders' or commerce and industry constituency must be registered as an elector for the constituency for which he seeks election.
4. In the case of the United Provinces, the candidate for an urban or rural constituency must be registered as an elector in an urban or rural constituency within the province; the candidate for a European, talugdars', Agra landholders', university or commerce and industry constituency, must be registered as an elector in the constituency for which he seeks election.

5. In the case of Bihar and Orissa, the candidate for an urban or rural constituency must be registered as an elector in an urban or rural constituency within the province; the candidate for a European, landholders', university, planting or mining constituency must be registered as an elector in the constituency for which he seeks election.
6. In the case of Assam, a candidate for an urban or rural constituency must be registered as an elector in an urban or rural constituency within the province; a candidate for a landholders', planting or commerce, and industry certificate must be registered as an elector in the constituency for which he seeks election.

The Composition of the provincial Legislative Councils may be put in tabular form thus:

<i>Provinces</i>	<i>General</i>	<i>Comm- unal</i>	<i>Land- holders</i>	<i>Univer- sity</i>	<i>Commerce, Industry and Planting</i>	<i>Represen- tatives by Nomina- tion</i>	<i>Officials</i>	<i>Totals</i>
Madras	61	18	7	1	6	6	19	118
Bombay	46	29	3	1	8	6	18	111
Bengal	41	37	5	2	15	5	20	125
United Provinces	57	28	6	1	3	5	18	118
Punjab	18	36	4	1	2	6	16	83
Bihar and Orissa	46	18	5	1	3	9	16	98
Central Provinces	40	7	3	1	2	5	12	70
Assam	19	12	2	0	6	5	9	53


The Indian Legislative Assembly

The Assembly will be constituted as follows:

Elected Members	80
Representatives appointed by nomination	14
Officials—	
Ex-officio	7
Nominated	19
	— 26
Total.....	120
Or, including the Governor-General.....	121

Details of Elected Seats

Provinces	Non-Mohammedan Seats	Mohammedan Seats	Sikh Seats	Landholders			European Commerce	Indian Commerce	Total
				Non- Mohammedan	Mohammedan	Sikh			
Madras	7	2	—	1	—	—	1	1	12
Bombay	4	3	—	1	1	—	1	2	12
Bengal	5	3	—	1	1	—	2	1	13
United Provinces	6	3	—	1	1	—	1	—	12
Punjab	2	4	1	—	—	1	—	—	9
Bihar and Orissa	6	2	—	—	1	—	—	—	9
Central Provinces	4	1	—	—	—	—	—	—	5
Assam	1	1	—	—	—	—	1	—	3
Delhi	1	—	—	—	—	—	—	—	1
Total	36	19	1	5	4	1	6	4	76



10

Reserved for Burma	4
Total	80

Method of Representation

I. *General Constituencies—36 seats.* With the exception of the member for Delhi Province these representatives will be elected by the non-official members, other than Mohammedans and (in the case of the Punjab) Sikhs, of the respective provincial Legislative Councils. One representative will be elected for Delhi Province by persons who have a place of residence in the province and possess qualifications corresponding to those prescribed in urban or rural areas for electors to the provincial Legislative Council of the Punjab.

II. *Mohammedan Constituencies (general)—19 seats.* These representatives will be elected by the Mohammedan non-official members of the respective provincial Legislative Councils.

III. *Sikh Constituency—1 seat.* The member will be elected by the Sikh non-official members of the Punjab provincial Legislative Council.

IV. *Landholders Constituencies—10 seats. Bengal—2 seats.*—One representative will be elected by the non-Mohammedan and one by the Mohammedan landholders of the presidency entered in the electoral roll for the provincial Legislative Council.

Madras—1 seat.—The representative will be elected by the zamindars and landholders of the presidency entered in the electoral roll for the provincial Legislative Council.

Bombay—2 seats.—One representative will be elected by the Mohammedan zemindars and jagirdars of Sind, and one by the sardars of the Deccan and Gujarat entered in the electoral roll for the provincial Legislative Council.

United Provinces—2 seats.—One representative will be elected by the non-Mohammedan and one by the Mohammedan taluqdars of Oudh and landholders of Agra

entered in the electoral roll for the provincial Legislative Council.

Punjab—2. seats.—One representative will be elected by the Mohammedan and one by the Sikh landholders of the Punjab entered in the electoral roll for the provincial Legislative Council.

Bihar and Orissa—1. seat.—The representative will be elected by the landholders of Orissa entered in the electoral roll for the provincial Legislative Council.

V. *European Commerce Constituencies—6 seats.* One representative will be elected by Chambers of Commerce of Madras, Bombay, and the United Provinces; two by the Bengal Chamber of Commerce, and one by the Assam Valley and Surma Valley branches of the Indian Tea Association.

VI. *Indian Commerce Constituencies—4 seats.* One representative will be elected by the Southern India Chamber of Commerce; one by the Bombay Millowners' Association and the Ahmedabad Millowners' Association; one by the Indian Merchants' Chamber and Bureau; one by the Bengal National Chamber of Commerce, the Marwari Association, and the Sabha.

The voting in all cases to be in accordance with regulations to be approved by the Governor-General in Council.

Qualification of Candidates

Where the election is made by members of a provincial Legislative Council the candidate must have the qualifications which would entitle him to stand for that council. But if registration as an elector is required registration for any constituency in the province will suffice.

The Council of State

The Proposed Constitution of the Council of State

Elected Members

Provinces	Total Population (millions)	Mohammedan Population (millions)	Sikh Population (millions)	Distribution Proposed				
				General	Mohammedans	Sikhs	Landholders	Total
Madras	40	3	—	2	1	—	—	3
Bombay	19½	4	—	2	1	—	—	3
Bengal	45	24	—	2	1	—	½	3½
United Provinces	47	6 ½	—	1	1	—	1	3
Punjab	19½	11	2	1	1	1	—	3
Bihar and Orissa	32½	3 ½	—	1	1	—	½	2½
Central Provinces	12	½	—	1	½	—	—	1½
Assam	6	2	—	1	½	—	—	1½
Total	—	—	—	11	7	1	2	21
Representatives of European Chambers of Commerce ..								2
Reserved for Burma								1
Total								24

Summary of Proposed Council

Elected members—

General.	11
Mohammedan.	7
Sikh.	1
Landholders.	2
European Commerce.	2
	—
	23
<i>Carried forward</i>	23

Elected members (<i>continued</i>)	<i>Brought forward</i>	23
Reserved for Burma.		1
Representatives appointed by nomination.		4
Officials—		
Ex-officio.		7
Nominated.		21
	—	28
		—
Total.		56
Or, including the Governor-General.		57
		--

Method of Representation

(i) The 11 representatives of general constituencies will be elected by the non-official members other than Mohammedans and (in the case of the Punjab) Sikhs, of the respective provincial Legislative Councils.

(ii) The 7 Mohammedan representatives will be elected by the Mohammedan non-official members of the respective provincial Legislative Councils, Assam and the Central Provinces now having alternative right to representation.

(iii) The Sikh representative will be elected by the Sikh non-official members of the Punjab Legislative Council.

(iv) The 2 landholders' representatives will be elected one by the members representing landholders' constituencies in the Bengal and Bihar and Orissa Legislative Councils voting jointly; and one by the members representing the taluqdars of Oudh and Agra landholders' constituencies voting jointly.

(v) The 2 representatives of European Commerce will be elected, one by the members of the Bengal, Burma and Upper India Chambers of Commerce voting jointly, and one by the members of the Bombay, Karachi and Madras Chambers of Commerce voting jointly.

Qualification of Candidates

In the case of a seat for which election is made by members of a provincial Legislative Council, the Candidate if not already a member of the Indian Legislative Assembly or of a provincial Legislative Council, shall have the qualifications which would entitle him to stand as a candidate for election to some provincial Legislative Council in India.

The official statement of the first elections held under the new scheme may be inserted here by way of illustration; it runs as per below tables:

INDIAN CONSTITUTIONAL HISTORY

The second or Functions Committee, which was appointed by the Secretary of State to inquire into questions connected with the division of functions between the Central and provincial Governments, and in the provincial Governments between the Executive Councils and the Ministers, also reported in 1919. It put forward two lists showing what ought to be all-India subjects and what ought to be provincial subjects.

The Legislative Assembly (Excluding the President)

	Nominated members			Elected Members							
	Officials	Non-officials	Total	General	Muslim	Sikh	Land-owners	European	Indian commerce	Total	Grand total
Government of India	12	—	12	—	—	—	—	—	—	—	12
Madras	2	2	4	10	3	—	1	1	1	16	20
Bombay	2	4	6	7	4	—	1	2	2	16	22
Bengal	2	3	5	6	6	—	1	3	1	17	22
United Provinces	2	1	3	8	6	—	1	1	—	16	19
Punjab	1	1	2	3	6	2	1	—	—	12	14
Bihar and Orissa	1	1	2	8	3	—	1	—	—	12	14
Central Provinces	1	—	1	4*	1	—	1	—	—	6	7
Assam	1	—	1	2	1	—	—	1	—	4	5
Burma	1	—	1	3	—	—	—	1	—	4	5
Berar	—	2	2	—	—	—	—	—	—	—	2
(Central Provinces)											
Ajmer	—	1	1	—	—	—	—	—	—	—	1
Total	25	15	40	51	30	2	7	9	4	103	143

*Including one technically nominated seat to be filled by nomination as the result of an election held in Berar.

All the information given as the reforms, the reports of the committees, and the results of the first elections have been taken from Government publications. *The Statements as to the Moral and Material Progress of India*, which appear yearly, should be particularly mentioned.

Council of State (Excluding the President)

	Nominated Members			Elected Members			
	Officials	Non-officials	Total	General	Muslim	Sikh	European commerce
Government of India	12	—	12	—	—	—	—
Madras	1	1	2	4	1	—	5
Bombay	1	1	2	3	2	—	6
Bengal	1	1	2	3	2	—	6
United Provinces	1	1	2	3	2	—	5
Punjab	1	2	3	1	1½	1	3½
Bihar and Orissa	1	—	1	2½	1	—	3½
Burma	—	—	—	1	—	—	2
Central Provinces	—	—	—	2	—	—	2
Assam	—	—	—	½	½	—	1
Delhi	1	—	1	—	—	—	—
Total	19	6	25	20	10	1	34
							59

Provincial Legislative Councils

Provinces	Nominated				Elected																										
	Total (Ex-officio, Nominated, and Elected)				Total (Elected)				By Special Electorates				By Communal Electorates				By General Electorates														
					Total (Nominated and Ex-officio)				Ex-officio* Officials (Nominated and Ex-officio)				Non-officials				Total				Sikhs				Total		Non-Mohammedans		Urban		
									University				Landholders				Commerce and Industry, including Mining and Planning				Total				Mohammedans		Rural		Mohammedans		Urban
1. Madras	127	29	23	6	98	13	1	6	6	20	11	2	1	1	5	—	65	56	9												
2. Bombay	111	25	20	5	86	11	1	3	7	29	22	5	2	—	—	—	46	35	11												
3. Bengal	139†	26	20	6	113†	21†	1†	5	15	46	33	6	5	2	—	—	46	35	11												
4. United Provinces	123	23	18	5	100	10	1	6	3	30	25	4	1	—	—	—	60	52	8												
5. Punjab	93	22	16	6	71	7	1	4	2	44	27	5	—	—	—	—	12	20	13	7											
6. Bihar and Orissa	103	27	20	7	76	9	1	5	3	19	15	3	1	—	—	—	48	42	6												
7. Central Provinces	70†	16	10	6	54	7	1‡	3	3	7	6	1	—	—	—	—	40	31	9												
8. Assam	53	14	9	5	39	6	—	—	6	123	12	—	—	—	—	—	21	20	11												

* This column shows the maximum number of officials who may be nominated under the rules. It is open to the Governor to nominate fewer officials, with a corresponding increase in the number of nominated non-officials shown in the next column.

† There will later be an additional elected seat for Dacca University, with consequent increases of one in the figures shown in these columns.

- ‡ Members to be nominated as the result of elections held in Berar have been shown as elected. Vide section 7(2)(c) of the Act.
- § Pending constitution of the Nagpur University, this seat will be in abeyance, and an additional nominated seat will be reserved for the interests of University education.
- || This seat (Shillong) is filled by a general electorate, including Mohammedans, there being no separate Mohammedan urban constituency.

The two run as follows:

All India Subjects

1. His Majesty's Naval, Military and Air Forces in India, including volunteers but excluding military police, maintained by provincial Governments, Naval and military works and cantonments.

2. External relations including naturalization and aliens.

3. Relations with Native States.

4. Any territory in British India other than the eight provinces to which the reform scheme applies.

5. Excluded areas mentioned as backward in the Montagu-Chelmsford Report.

6. Communications:

(a) Railways and tramways with certain exceptions.

(b) Roads, bridges or ferries of military importance.

(c) Aircraft.

(d) Indian waterways.

7. Shipping and navigation.

8. Lighthouses, buoys and beacons.

9. Port quarantine and marine hospitals.

10. Ports declared to be major ports by or under Indian legislation.

11. Posts, telegraphs and telephones.
12. Sources of imperial revenue, including
13. Currency and coinage.
14. Public debt of India
15. Savings banks.
16. Department of Comptroller and Auditor-General.
17. Civil law.
18. Commerce, including banking and insurance.
19. Trading companies and other associations.
20. Control of production and supply of certain articles.
21. Control of petroleum and explosives.
22. Geological survey.
23. Control of mineral development and regulation of mines.
24. Inventions and designs.
25. Copyright.
26. Emigration and immigration and inter-provincial migration.
27. Criminal law and procedure.
28. Central police organization and railway police.
29. Control of possession and use of arms.
30. Central institutions of scientific and industrial research.
31. Ecclesiastical administration.
32. Survey of India.
33. Archaeology.

34. Zoological survey.

35. Meteorology.

36. Census and statistics.

37. All-India services.

38. Legislation in regard to any provincial subject where power is reserved.

39. All matters expressly excepted from inclusion in the provincial list.

40. All other matters not in the list of provincial subjects.

II. Provincial Subjects

1. Local self-government.

2. Medical administration.

3. Public health and sanitation and vital statistics.

4. Education (excluding (1) the Benares Hindu University, (2) (chiefs colleges) subject to Indian legislation: (a) controlling the establishment, and regulating the constitution and function; of new universities; and (b) defining the jurisdiction of any university outside its own province; and in the case of Bengal, for a period of five years from the date when the reforms scheme comes into operation, subject to Indian legislation with regard to the Calcutta University and the control and organization of secondary education.

5. Public works included under the following heads:

(a) Provincial buildings;

(b) Roads, bridges and ferries, other than those declared of military importance;

(c) Tramways within municipal areas;

(d) Light railways and tramways in certain cases.

6. Irrigation and canals drainage and embankment, and water storage, subject to control where provided by Indian legislation.

7. Land revenue administration, as described under the following heads:

- (a) Assessment and collection of land revenue;
- (b) Maintenance of land records, surveys for revenue purposes, records of rights;
- (c) Laws regarding land tenures, relations of landlords and tenants, collection of rent;
- (d) Court of wards, encumbered and attached estates;
- (e) Land improvement and agricultural loans;
- (f) Colonization and disposal of Crown lands and alienation of land revenue.

8. Famine relief.

9. Agriculture.

10. Civil veterinary department.

11. Fisheries.

12. Co-operative societies, subject to Indian legislation.

13. Forests.

14. Land acquisition, subject to Indian legislation as regards acquisition of land for public purposes.

15. Excise.

16. Administration of justice, including constitution, maintenance and organization of courts of justice in the province, both of civil and criminal jurisdiction, but exclusive of matters relating to constitution and power of high courts and subject to Indian legislation as regards the constitution and powers of courts of criminal jurisdiction.

17. Provincial law reports.
18. Administrator-General and Official Trustee, subject to Indian legislation.
19. Judicial stamps, with limitations.
20. Registration of deeds and documents, subject to Indian legislation.
21. Registration of births, deaths and marriages, subject to Indian legislation.
22. Religious and charitable endowments.
23. Development of mineral resources which are Government property, subject to rules made or sanctioned by the Secretary of State, but not including the regulation of mines.
24. Development of industries.
25. industrial matters included under the following heads:
 - (a) Factories;
 - (b) Settlement of labour disputes;
 - (c) Electricity;
 - (d) Boilers;
 - (e) Gas;
 - (f) Smoke nuisances; and
 - (g) Welfare of labour, including provident funds, industrial insurance and housing. Subject as to (a), (b), (c) and (d) to Indian legislation.
26. Adulteration of foodstuffs and other articles, subject to Indian legislation as regards export trade.
27. Weights and measures, subject to Indian legislation as regards standards.
28. Ports, excepting major ports.

29. Inland waterways, with limitations.

30. Police other than railway police.

31. Miscellaneous matters: (a) regulation of betting and gambling; (b) prevention of cruelty to animals; (c) protection of wild birds and animals; (d) control of poisons; (e) control of motor vehicles, with limitations; (f) control of dramatic performances and cinematographs.

32. Control of newspapers and printing presses, subject to Indian legislation.

33. Coroners.

34. Criminal tribes, subject to Indian legislation.

35. European vagrancy, subject to Indian legislation.

36. Prisons and reformatories, subject to Indian legislation.

37. Pounds.

38. Treasure trove.

39. Museums (except the Indian Museum and the Victoria Memorial, Calcutta) and zoological gardens.

40. Government press.

41. Franchise and elections for Indian and provincial legislatures, subject to Indian legislation.

42. Regulation of medical and other professional qualifications and standards, subject to Indian legislation.

43. Control, subject to Indian legislation, of members of all-India services serving within the province, and of other public services within the province.

44. New provincial taxes.

45. Borrowing money on the sole credit of the province, subject to Indian legislation.

46. Imposition of punishments by fine, penalty or imprisonment, for enforcing any law of the province relating to any provincial subject, but subject to Indian legislation where that limitation otherwise applies to such subject.

47. Any matter which though falling within an all-India subject, is declared by the governor-General in Council to be of a merely local or private nature within the province.

III. The third section of the Report dealt with the transfer of functions to the charge of ministers, and to the power of a Governor in Council in relation to transferred subjects.

The recommendations as to transferred subjects are summarized as follows:

The following are to be transferred in all provinces:

1. Local Self-Government.
2. Medical administration.
3. Public health and sanitation and vital statistics.
4. Education, other than European and Anglo-Indian education (excluding (1) the Benares Hindu University, and (2) chiefs' colleges, subjects to Indian legislation: (a) controlling of the establishment, and regulating the constitutions and functions of new universities; and (b) defining the jurisdiction of any university outside its own province; and, in the case of Bengal, for a period of five years from the date when the reforms scheme comes into operation, subject to Indian legislation with regard to the Calcutta University and the control and organization of secondary education.
5. Agriculture.
6. Civil veterinary department.
7. Co-operative Societies, subject to Indian legislation.

8. Registration of deeds and documents, subject to Indian legislation.
9. Registration of births, deaths and marriages, subject or to Indian legislation.
10. Religious and charitable endowmen
11. Development of industries, including industrial research and technical education.
12. Adulteration of foodstuffs, etc., subject to Indian legislation as regards export trade.
13. Weights and measures, subject to Indian legislation as regards standards.
14. Museums (except the Indian Museum and the Victoria Memorial, Calcutta) and zoological gardens.

Not in all provinces:

1. Public works (as defined) in all provinces save Assam.
2. Fisheries, in all provinces save Assam.
3. Forests, in Bombay only.
4. Excise, in all provinces save Assam.

The Report also contained suggestions as to the procedure in regard to reserved, transferred and mixed subjects which the student who wishes to follow out the matter in detail should carefully consult.

The attitude of the Government of India towards the Joint Report and the Reports of the Franchise and Functions Committees is thus concisely summarized in the Moral and Material progress statement for 1920.

“On the main Report itself, the Government of India in its dispatch of March 5, 1919, recommended: first, that in the five provinces whose heads had hitherto been chosen

from the Indian Civil Service, no change should be made in this plan.

“Secondly, where the Governor was a stranger to the country he should have two English members in his executive council and not one as previously proposed in the Joint Report.

“In the third place, the Government of India wished to make it perfectly clear that each half of the Executive should have its own resources of revenue. Each half of the provincial Government would take all receipts accruing within its own field of administration. Each half of the Government would thus have the natural stimulus to develop its own resources. If the resources on either side happened to be insufficient for its normal expenditure, there would be an adjustment by which it would be given a subsidy from the other side. If need arose, each side would have the right to propose new taxation or the raising of a loan; but no such proposal would be pursued unless the Governor, after formal consultation with his whole Government, was satisfied of its propriety. This system may be described as the ‘separate purse’ in distinction to the rival idea of a common exchequer, from which each side of the Government would extract its funds at the risk of disputes, confusion and friction.

“Fourthly, joint deliberations between the two halves of the Government should be left to the discretion of the Governor, association being desirable between them so far as it can be obtained without obscuring the responsibility of each half for taking its own decisions and for standing by the consequences.

“Fifthly, each half of the Government should have a legislative organ in harmony with it. For this purpose the procedure by Grand Committee in the Joint Report was, with certain modifications, approved.

“Of the recommendations of the Franchise Committee, the Government of India dissented from the following:

"In the first place they did not agree to the inclusion of subjects of Native States as electors or candidates for councils.

"Next they objected to franchise qualifications other than those based on property, and recommended that the franchise should be so varied as to result in a slight enlargement of the Punjab electorate and a considerable enlargement of the Madras electorate; that the large electorates proposed for Bengal and the United Provinces should be reduced by something like one-third; and that Assam should be reduced in a somewhat similar manner. They considered that the proposed provision for representation of depressed classes was inadequate, and did not approve of the proposed University constituencies.

"In the matter of communal representation, the Government of India accepted the principle recommended by the Committee, in favour of the Mohammedans, as well as the strength of the representation proposed, except as regards Bengal, where it was thought that the representation was insufficient. In the case of the non-Brahmins the Government disagreed with the Committee in the latter's rejection of their claims. Doubts were also expressed as to the wisdom of the Franchise Committee's recommendations in the distribution of representation between urban and rural constituencies. The proposal for the elections of the members of the Legislative Assembly by the non-official members of the provincial Legislative Councils was accepted, but with regret and as a temporary measure. The Government of India also suggested 'direct' election for the Council of State.

"The attitude of the Government of India towards the recommendations of the Functions Committee, which it mostly accepted, may be summarized as follows:

- (1) They considered that the proposal of the Committee as regards legislation were too complicated and

they emphasized the need for maintaining the concurrent powers of legislation of the Indian legislature.

- (2) They advised against the transfer to Ministers of University and secondary education or of industries, and suggested that industries should remain a provincial and reserved subject with concurrent power to the Government of India, and suggested certain additions to the list of central subjects.
- (3) They considered that a provision should be made for re-transfer of a transferred subject in case of insoluble difficulties arising between the Ministers and the Governor.
- (4) They generally concurred in the proposals relating to the services”.

The third committee, Lord Crewe's Committee, dealt with the home administration of Indian Affairs. Its recommendations were summarized in its report as follows:

“Relations between the Home and Indian administrations.

- (i) Save in the case of absolute necessity, legislation should not be certified for enactment by the Council of State without previous approval of its substance by the Secretary of State on the ground that its enactment is essential in the interests of the peace, order and good Government of India.
- (ii) Where the Government of India are in agreement with a majority of the non-official members of the Legislative Assembly, either in regard to legislation or in regard to the resolutions on the Budget or on matters of general administration, assent to their joint decision should only be withheld in cases in which the Secretary of State

feels that his responsibility to Parliament for the peace, order and good government of India, or paramount considerations of imperial policy, require him to secure reconsideration of the matter at issue by the Legislative Assembly.

- (iii) As a basis of delegation, the principle of previous consultation between the Secretary of State and the Government of India should be substituted in all cases in which the previous sanction of the Secretary of State in Council has hitherto been required.
- (iv) In the relations between the Secretary of State and local Governments, the principle should, as far as possible, be applied, that where the Governments are in agreement with a conclusion of the legislature their joint decision should ordinarily be allowed to prevail.
- (v) Assent to, or disallowance of, Indian legislation by the Crown should be signified by His Majesty in Council".

"The Home administration of India.

- (vi) The powers and authority now vested in the Secretary of State for India in Council should be transferred to the Secretary of State.
- (vii) The Secretary of State should be assisted by an Advisory Committee, to which he shall refer such matters as he may determine; and he may provide by regulations for the conduct of business of the Committee.
- (viii) The Advisory Committee should consist of not more than twelve and not less than six members, appointed by the Secretary of State.
- (ix) Not less than one-third of the members of the Committee should be persons domiciled in India selected by the Secretary of State from a panel of

names submitted by the non-official members of the Indian Legislature.

- (x) The tenure of office of members of the Committee should be five years.
- (xi) Members of either House of Parliament should be ineligible for appointment to the Committee.
- (xii) The salary of members of the Committee should be £1,200 a year.
- (xiii) Indian members of the Committee should receive a subsistence allowance of £600 a year in addition to salary, in respect of their domicile.
- (xiv) Statutory provision should be made for recommendations (xii) to (xiii) inclusive.
- (xv) The Secretary of State should regulate by executive orders ~~the conduct~~ of correspondence between the India Office and the Government in India.”
“The organization of the Indian Office establishment.
- (xvi) Action should be taken with a view to the transfer of the agency work of the India Office to a High Commissioner for India or some similar Indian Governmental representative in London.
- (xvii) No formal system of interchange of appointment between members of the India Office and the Indian Services can be recommended; but deputation between the two countries should be encouraged.
- (xviii) Occasion should be taken now and then to appoint an Indian to one of the posts intermediary between the Secretary of State and heads of departments”.

“The apportionment of the charges of the India Office between Home and Indian Revenues.

- (xix) The charges on account of the political and administrative work of the office should be placed on the estimates, those on account of the agency work of the Office being defrayed from Indian revenues; the apportionment to be determined by agreement between the India Office and the Treasury.
- (xx) The Committee are not in favour of the proposal to establish a Select Committee of the House of Commons on Indian affairs”.

Act of 1919 in Operation

'Home' Authorities

The Government of India Act passed by Parliament in December 1919 came into full operation on the first day of 1921, the first elections under it having been held in November 1920. The shadow of the Jallianwala Bag tragedy still hung over the country. The Moderates had seceded from the Congress, within which differences between the groups led by Gandhi and C.R. Das were taking shape, but the long Gandhian era had already begun.

Despite Gandhi's fond hope that the British people would do 'justice to India', there was no question of ever, any partial transfer of power to India. Lord Irwin reminded the Legislative Assembly in 1927 that as long as the 'final control of Indian policy was 'constitutionally vested' in the Secretary of State on behalf of Parliament, the Governor-General was required to 'guide his conduct in conformity with the general policy approved by the Imperial Parliament'. Probably he considered such a reminder necessary because he was aware of the fact (as he said) that 'there is a section of opinion in India which rejects the right of Parliament to be the arbiter of the fashion or the time of India's political development'. This opinion he could not reconcile with 'the undoubted facts of the situation'. There was another section of opinion which, instead of raising 'so fundamental an objection' to the supremacy of Parliament, claimed that

it should be exercised solely for the purpose of 'granting to India forthwith a wide, if not complete, extension of responsible power'. The distinction between these two views was 'narrow', for Parliament would be 'no real judge' if it had no 'right to deliver a free verdict'.

Although the Act of 1919 implied no theoretical restriction on parliamentary supremacy it created practical difficulties which could not be ignored. In 1921, the question arose whether the administration of Transferred Subjects could properly be raised in Parliament, *e.g.*, by question. The Secretary of State in Council limited by statutory rule the exercise of his power of 'superintendence, direction and control' in relation to Transferred Subjects where cases concerning central subjects or imperial interests were involved. The Under-Secretary of State for India appealed to Parliament to exercise 'self-restraint in the use of its rights of interrogation and criticism', for, the government of India under the new system would be 'absolutely impossible' if Parliament were to interfere in the administration of Transferred Subjects. A ruling given by the speaker of the House of Commons indicated that it was not Parliament's business to criticize the administration in the transferred field.

'Behind the Governor-General in Council', observed the Simon Commission, 'and co-extensive with all executive action, lay the theoretical responsibility of the Secretary of State, however much that theory might be modified in practice by the growth of convention or the fact of distance'. The actual operation of the system was analysed in a memorandum submitted by the Government of India to the Simon Commission as also in the Report of the Simon Commission.

According to the memorandum, the powers of the Secretary of State in Council, in relation to the Civil Services, were 'in process of partial delegation to the (executive) authorities in India.' In the financial sphere the

Act of 1919 had introduced 'a new controlling authority', i.e., the Legislative Assembly, 'albeit with two well-known qualifications'. This constitutional change, and the practical difficulty in scrutinizing the great mass of the expenditure of the Government of India, rendered it necessary for the Secretary of State in Council to delegate large powers of initiative to the Government of India. Previous sanction was required in only a limited class of cases. But budget proposals, particularly those affecting taxation, had to be referred to the Secretary of State in the first instance and approved by him before they were presented to the Indian Legislature. He also controlled ways and means operations, sales of Council Bills, the management of the Gold Standard and Paper Currency reserves, the policy with regard to exchange and currency, and all borrowing operations in London. His legal responsibility to Parliament for all expenditure from Indian public funds remained unaffected by the Act of 1919. As a result, his control over finance was 'closer than that over almost any other class of administration, except perhaps, defence, foreign relations and the conditions of service under the Crown'. With regard to the Railways, he was, 'in practice, 'concerned only with the very broadest questions of administration, organisation and finance.'

The Simon Commission took special note of the 'Fiscal Convention' which required the Secretary of State to abstain from interfering with the enactment of any tariff measure upon which the Government of India and the Indian Legislature were agreed. This 'settled policy' was based on a recommendation of the Joint Select Committee on the Bill of 1919 which was accepted by the Secretary of State in 1921.

In the sphere of legislation the previous approval of the Secretary of State was required for Bills to be introduced in the Indian Legislature if they related to matters such as imperial or military affairs, foreign relations, the rights of

European British subjects, the law of naturalization, the public debt, customs, currency and shipping. The Simon Commission found no instance of his final objection to the introduction of such a Bill. It was left to the Governor-General in Council to refer for the previous approval of the Secretary of State in Council such provincial Bills as he thought fit; in practice, however, the number of such cases could be 'counted on the fingers of one hand'. Again, broad general questions were invariably referred to him, and new departures of any importance in purely administrative matters were brought to his notice. He could also initiate new proposals, although this power was never 'pushed to the extent of reducing the Government of India to the position of a mere subordinate agency'. On the whole, the sphere in which he could exercise his powers of 'superintendence, direction and control' was 'a matter of understanding rather than precise definition'.

In Army matters there was closer 'superintendence, direction and control' because the Army in India was 'an Imperial question, not because it is proposed to use the Army in India for the general defence of the Empire but because it may be necessary at any moment to use the Imperial Army for the defence of India'. Control of policy in the matter of purchase of Government stores for India, though relinquished in other matters, was effective in the case of military stores.

The Secretary of State was required to secure the concurrence of his Council to expenditure of the revenues of India as also to matters relating to the Civil Services. Questions of expenditure sometimes raised delicate issues: the 'Home' Government and the Government of India might take conflicting views on items to be charged to the Indian revenues. The Simon Commission noted that 'up to quite recent times the veto of the Council has been exercised against claims pressed strongly by departments of the 'Home Government', i.e., while sanctioning expenditure,

the Council satisfied itself that the money claimed by the 'Home Government was really necessary 'for the purpose of the Government of India'. The Council's consultative functions were restricted by the discretion of the Secretary of State. The Simon Commission was informed that it was not 'invariably consulted on matters of high policy'.

The Simon Commission pointed out that delegation by convention was limited—so far as the relations between the Secretary of State and the Government of India were concerned—to 'two regions', *i.e.*, the 'Fiscal Convention' and the purchase of stores (other than military stores). It observed: 'The difficulty of finding departments of administration in which it can confidently said that no question affecting Parliament's essential control will arise, is obviously very great'. Behind these carefully chosen words one might detect a hint that the Act of 1919 did not do much by way of relaxing that control. On this point the testimony of two Members of the Governor-General's Executive Council is interesting. Sir Tej Bahadur Sapru said in 1931 that the Governor-General, and the Governor-General in Council, 'are truly the servants of the Secretary of State, servants whose bounden duty is to carry out the orders of the Secretary of State'. Sir "Muhammad Shaft" spoke of instances in which the Secretary of State had overruled the unanimous decision of the Governor-General in Council, not only in matters of high policy, but even in matters of internal civil administration. In 1922 (he added) a lengthy list was drawn up of cases in which the Secretary of State had interfered since the introduction of the Act of 1919.

In discussing this issue the question of 'personal equation' must be given due importance. Another factor was the correspondence between the Secretary of State and the Governor-General, marked 'Private and Personal' in order to distinguish it from official correspondence, which had figured prominently in the parliamentary discussion on the Report of the Mesopotamia Commission. The scope and

volume of this class of correspondence do not appear to have diminished after the introduction of the Reforms. It would 'occasionally disclose', as Sir Muhammad Shafi said, 'a clash of personalities—a powerful Secretary of State influencing the Viceroy, and a strong Governor-General influencing the Secretary of State'.

The Centre

In Lord Irwin's view the Viceroy and Governor-General was 'bound through his office and conscience by a double duty'. He had to see that 'the King's Government in India' was carried on according to law. At the same time he stood as an 'intermediary between India and Great Britain', and, in that capacity, he was required 'to interpret as faithfully as he may the hopes, the feelings, the desires of the Indian people' to the 'Home' Government. The first duty arose from statutes and conventions; the second was the product of growing political aspirations in India. In representing to the 'Home' Government what he conceived to be India's interests, Irwin said, he counted upon the help of the Indian Legislature. He could, at the same time, help the Indian Legislature by telling it, 'from his own knowledge, of the manner in which, and the angle from which, the judgement of Parliament is likely to be formed'. This was a new conception of the Viceroy's political role; and it had special relevance in the era of reforms inaugurated in 1917.

The Act of 1919 made no change in the statutory and customary relations between the Governor-General and his Executive Council. Of the seven Members of the Council, three were Indians; but they were not put in charge of any important portfolios. They had no representative capacity; without supporters in the Legislature, without any following among the people, they were politically isolated individuals, owing their high office to the favour of the English rulers. Naturally, they did not carry much weight with their European colleagues, unless they happened to be unanimous

and succeeded in securing the Governor-General's support. The partial Indiardisation of the Council—a fulfilment of the dream of the early leaders of the Congress—led to no tangible impact of the Indian point of view on administration or legislation.

As regards the role of the Council as a whole, the 'Private and Personal' correspondence between the Governor-General and the Secretary of State sometimes placed it in an ineffective position. Sir Muhammad Shafi complained in 1931 that sometimes a case was put up before the Council on a matter on which a decision had already been reached between the Secretary of State and the Governor-General.

The Central Legislature functioned in a political atmosphere which was entirely different from the expectations of the framers of the Act of 1919. They had taken what they considered 'a bold step', namely, the introduction of a non-official majority. The Government of India found it difficult to secure the consent of the Legislature to all its measures in the usual parliamentary fashion; it was led to use its exceptional powers, *e.g.*, certification and Ordinance-making. This disturbed its relations with the Legislature and prejudiced the success of the reforms. The 'revolt' of the Congress nullified the most important primary condition for the successful operation of the reforms. The situation became aggravated after the entry of the Swarajists in 1923. Some of the ablest political leaders of the country entered the Central Assembly; their parliamentary skill and political strategy embarrassed the Treasury Benches even though they maintained the dignity and orderliness of the proceedings and a high intellectual level in debate. The failure of Dyarchy in some provinces had its impact on the Centre. Communal strife added growing bitterness to political differences. The Government of India, as the Simon Commission noted, had no press or platform which it could use to expound its policies to the people; the Anglo-Indian press was helpful, but it carried little weight with the people.

The nationalist press consistently opposed official policies and contributed much to the idea that the reforms were totally inadequate.

When the Act was put into operation (January 1921) the bitter memory of Jallianwala Bag was still fresh and the Rowlatt Act, which had been opposed by all non-official Indian members of the old Imperial Legislative Council, was on the statute book. A year later (March 1922) Montagu resigned from the office of Secretary of State. He was in favour of larger powers for the Government of India and its immunity to a large extent from the control of the Secretary of State; devolution—not centralization—was, in his view, the essence of the Act of 1919. When Lord Curzon described the Government of India as ‘a subordinate branch of the British Government’ he replied: ‘India is a member of the League of Nations; the treaty of Sèvres was signed on behalf of India independently.’ The British Prime Minister, Lloyd George, who accepted his resignation, delivered a speech in Parliament (2 August 1922) declaring that the Indian Civil Service would not be ‘deprived of its functions or of its privileges’. He also spoke of the Act of 1919 as an ‘experiment’. This speech created a very unfavourable impression in India; it strengthened the non-cooperators and weakened the Moderates.

In the first Legislature (1920-23), the non-cooperators did not contest; the field was left open to the Moderates, who were returned in preponderating numbers both to the Central Legislature and the Provincial Councils. The Central Legislature generally supported the Government; in return, it secured the repeal of some repressive and discriminatory legislation and the recognition of its voice with regard to such important taxes as income-tax and salt duty. But it ‘finished its term’, as the Simon Report says, ‘in a mood of despondency, induced by disappointment at the rate of constitutional advance and the use of the Governor-General’s extraordinary powers’. For instance, although

the Assembly refused leave to introduce the Indian States (Protection against Disaffection) Bill in 1922, Lord Reading certified that its passage was 'essential for the interests of British India'. Again, in passing the Finance Bill of 1923, the Assembly reduced the salt tax, but Lord Reading restored it by certification.

The political interest of the elections to the second Legislature (1923-26) lay in the participation of the Swarajists as candidates who were bound by a pledge of 'uniform, continuous and sustained obstruction with a view to making government through the (Central) Assembly and the (Provincial) Councils impossible'. They secured 45 out of 145 seats, ousting the Moderates who had been 'dispirited with the results of the first three years of the Reforms'; and they acted in the Assembly in alliance with the Independents. Under the able leadership of Motilal Nehru they laid stress on the issue of constitutional advance. With a view to wrecking the legislative system from within, they rejected official demands for grants as also repressive legislation (such as the Bengal Criminal Law Amendment Act of 1925), and even refused permission to introduce the Finance Bill of 1924. Speaking on behalf of the Opposition Madan Mohan Malaviya declared that they could not agree to taxation 'unless the representatives of the people of this country have a voice in the expenditure of the money raised by taxation, unless we are put in a position to exercise the same rights and privileges which the members of every Legislature in the world exercise'. In all these cases, the Governor-General used his special powers, admitting, in effect, that government could not be carried on under the normal procedure.

In the third Legislature which started functioning in 1927, the solidarity of the Opposition was broken; the Swarajists as also the Independents returned with diminished strength, a new group of 'Nationalists' or 'Responsive Co-operators' came in, and even the Muslims formed two

groups. The appointment of the Simon Commission in November 1927 shifted political interest to the problem of Constitution-making. 'From that moment, the Constitution of 1919 was generally regarded as moribund.' It was taken for granted that the Montagu-Chelmsford Reforms needed to be superseded, and although the supersession was delayed for a decade the 'Nationalists' did not perceptibly relax their zeal in the Opposition. For instance, Finance Bills had to be certified in 1931, 1935, 1936, 1937 and 1938.

The use of the Governor-General's power of certification in respect of legislative and financial proposals was supplemented by the making of Ordinances. The Governor-General's Ordinance-making power dated to the Indian Councils Act of 1861. After the introduction of the Reforms in 1921 as many as 52 Ordinances were issued till the commencement of the Act of 1935. Most of them sought to deal with the law and order problem and were repressive in character. In the case of Bhagat Singh (1931) the Privy Council decided that the Governor-General alone was the judge of the existence of emergency and of the need for an Ordinance for maintaining peace and good government. The power conferred on the Governor-General was held to be 'an absolute power'.

The electorate for the Indian Legislature was small: 105 elected members of the Assembly were returned by 1.1/8 million voters. The electorate showed 'a progressively increasing readiness to go the polls', although the Simon Commission found it impossible to determine how far this was due to 'a genuine advance in political interest and how far to other causes'. The proportion of voters increased to 48 per cent in 1926 from 25 per cent in 1920. The apathy of the voters in 1920 was due to the non-cooperation movement.

Inside the Assembly there was no party system in the British sense. 'Groups form and re-form, but as far as its pledged supporters were concerned, the Government is in a permanent minority, and this affects the whole tone of the

debate.' However, communal grouping was frequently helpful to the Government. The official bloc of 26 members always voted for the Government. There was a natural tendency for nominated members to support the Government, but some of them were 'found quite as frequently in the Opposition as in the Government lobby'.

The elected President of the Assembly, says the Simon Report,

claims and employs powers of interference which would be quite contrary to the stricter limits of the Speakership (of the House of Commons)—reprimanding a Government member of the Council of State for not attending and speaking at a debate in the Lower House, advising the Government not to proceed with important business when the Swarajists walked out, explaining his view of the proper operation of the so-called Fiscal Convention, and so on.

The Simon Commission found the explanation of the contrast in the fact that, whereas the Speaker could count upon the support of the Government, the President had to depend on the Opposition.

The electorate of the Council of State took greater interest in voting: 45 per cent voted in 1920 and 55 per cent in 1923. The Upper House represented the more conservative elements; thus, its role was naturally different from that of the Assembly which represented progressive political opinion. Between 1921 and 1928, on no less than five occasions, the two Houses adopted different attitudes to the Government's Finance Bills. On nine other occasions, they differed on legislative measures. Despite statutory provisions for joint action, there was no joint sitting of the two Houses, and joint Committees were appointed on eighteen occasions only.

Between 1921 and 1928 only five Government Bills were rejected or withdrawn as a result of Opposition in the Assembly. In four cases, the Governor-General used his

power of certification. The assent of the Governor-General was never withheld from a Bill passed by both Houses and no such Bill was returned for reconsideration, and the power of the Crown to disallow Acts was not exercised.

The influence of the Legislature on the Executive was exercised in four ways; firstly, through the moving of resolutions; secondly, through interpellation; thirdly, through the financial power over votable items in the budget; and fourthly, through the work of Standing Committees.

Between 1921 and 1928 non-official resolutions occupied the Council of State on 101 days and the Assembly on 62 days. The Department which had to meet the most numerous resolutions was the Home Department. In the Council of State, the Government suffered only one defeat in the case of non-official resolutions; but in the Assembly, 51 divisions out of 91 went in its favour and 40 against it. The Government gave effect to some of the non-official resolutions passed in the two Houses.

The power of interpellation was increasingly and effectively used. In the Council of State, 2,561 questions were actually asked between 1921 and 1928; in the Assembly the corresponding number was 14,842. As in other matters, so also in respect of interpellation, the Assembly became more active after the entry of the Swarajists. The Government of India objected, as a matter of principle, to questions affecting the Princely States as also to those which related to the exercise of powers vested in the Governor-General alone. Questions relating to provincial subjects (both Reserved and Transferred) were allowed only when the Government of India had knowledge of the details and they referred to matters of all-India interest. The public debt, the Civil Service and defence, which had been removed from the legislative and financial control of the Legislature, were not kept beyond its province with regard to the asking of questions and the moving of resolutions and adjournment motions. 'Interpellation', according to a

Memorandum submitted by the Government of India to the Simon Commission, 'has had considerable success in affecting the action of Government.'

The financial power of the Assembly was legally limited to voted expenditure, the proportion of voted and non-voted items being roughly equal. But the history of the Finance Bills shows that its influence extended to non-voted expenditure as well. For instance, the Assembly was successful in reducing Army expenditure. This was possible for two reasons. The Executive was disinclined to use excessively its power of restoration in the 'cuts' made by the Assembly in voted items and preferred to conciliate it by agreeing to cut down non-voted items. Secondly, when political questions were not at issue, the Executive and the Assembly found it possible to agree on a common policy in the pursuit of economy. The greatest difficulty of the Assembly lay in the fact that it had no power of initiative. It might refuse its assent to a demand or reduce it, but it could not increase it or alter its destination. Again, the rulings of the Presidents established that it could not, even by way of amendment to the Financial Bill, impose taxation which the Governor-General in Council had not proposed.

Two Committees formed part of the machinery of the Assembly and helped it to exercise control over finance. The Finance Member was the *ex-officio* Chairman of both Committees, but the non-official element was predominant in their composition. The Standing Finance Committee scrutinised the Government's proposals for new items of votable expenditure. It was an advisors' body, but its views were respected by the Government as also by the Assembly. The business of the Public Accounts Committee was to see whether the money voted by the Assembly had been spent within the scope of the demands granted by the Assembly. Its activities extended to non-voted as well as voted expenditure. Its scrutiny of expenditure was 'zealous and detailed', and it 'notably enlarged the authority of the Assembly'.

The Simon Commission took the view that in spite of the 'theoretical irresponsibility' of the Executive, the Assembly exercised an indirect influence which was of greater importance than its direct influence. The members of the Central Legislature performed the useful function of keeping the officials informed of the public reaction to their legislative and administrative measures. The Commission stressed two other points. First, the existence of a popularly elected Legislature not only operated to amend Government measures after their introduction, but had much effect in deciding what measures should be introduced. Second, the procedure of interpellation set up in the administration itself a spirit of self-criticism and a desire to avoid an occasion for a censure. The role of the Legislature was, therefore, not to be judged only by what actually took place on its floor.

Centre and Provinces

'The separation which the Reforms effected between central and provincial duties in no way affects the responsibility of the Central Government for the financial and administrative stability of India as a whole.' In these words the Simon Commission defined the basic principle which determined the nature and extent of central control over provincial matters. The 'superintendence, direction and control of the civil and military government of India' were vested by statute in the Governor-General in Council. Apart from this general provision, here was a large number of enactments by which powers were reserved to the Governor-General in Council, or were exercised by the Local Governments subject to his sanction, or control.

With, a view to ensuring the smooth operation of the Reforms, the Devolution Act of 1920 removed some of the old statutory provisions requiring the sanction of the Governor-General in Council, or, maintaining his control in some provincial matters. Local Governments were set free to some extent from the supervision and control of the

Government of India. But there were still 91 Acts of the Governor-General in Council, 36 Regulations made by the Governor-General, and in each province a varying number of local enactments which required the proposals of the Local Government on certain matters to be submitted to the Government of India for sanction. There was no complaint that the Devolution Act was 'an inadequate or ungenerous measure', and no plea for its amplification was put before the Reforms Enquiry Committee of 1924.

Secondly, the Act of 1919 and rules or orders under it required Local Governments to obtain in certain circumstances the sanction of higher authorities. These were concerned mainly with service and financial questions, and the orders usually required were those of the Secretary of State. In service matters, the need for such orders was greatly reduced by the promulgation of rules delegating to Local Governments complete authority over provincial and subordinate services and special officers. In financial matters the Meston Settlement was arrangement intended to combine adequate control by the Government of India with due freedom for Local Governments.

Thirdly, conflicts, of jurisdiction between the Central and Local Governments and differences of interpretation of particular provisions in the Act were not infrequent. For instance, it was necessary for the Secretary of State to prescribe rules to regulate the transfer of State lands and buildings between the Government of India and Local Governments.

Fourthly, the functions of the Government of India with regard to external relations could not be discharged without an intrusion into the provincial sphere. Its adherence to conventions of the League of Nations and the International Labour Office involved obligations—financial as well as administrative—on the provinces primarily in Transferred Departments. In such matters, it was necessary for the Centre to have the power to override the Local

Governments. The principle was, therefore, established that the responsibility of the Centre for central subjects prevailed over the restrictions on its powers of control over provincial Transferred Subjects.

With regard to Reserved Subjects, the intention of the Act was that central control should be 'normal and constant'; but in the absence of a legal definition of its scope, the Government of India had to arrive at a 'settled practice'. The essence of this practice was to grant to the provinces as free a hand as possible, reserving intervention to such aspects only of provincial subjects as affected general policy or general interests. However, in some cases—for instance, in matters with which the Home Department of the Government of India was concerned, police and jails—central control took a 'wider range'. The central machinery of was weakened by changes in the 'agency of the touring headquarters experts', *i.e.*, abolition of the posts of Inspector-General. Having no inspecting agency of its own, government of India had to depend on receipt of periodical reports or special reports submitted by Local Governments under orders issued in 1899. Only with regard to legislation did the Government of India take steps to control the new powers of the Provincial Governments; but even there, it did not actually interfere in a vast majority of cases. On the whole, even where interference was found necessary, criticism was generally offered in the form of advice and the issue of direct orders was avoided. The intention of the Act was given a liberal interpretation for the reason—among others—that even in the Reserved sphere, Provincial Governments were expected to act in cooperation with their Legislatures. But where powers were exercised by a Provincial Governor, as distinct from the Governor in Council, the 'superintendence, direction and control' of the Governor-General in Council were more direct.

Certain difficulties arose in connection with the work done by Local Governments as agents of the Government

of India for the administration of central subjects. The practice of appointing Provincial Governors in their personal capacity as agents to the Governor-General for the administration of relations with some Princely States was found to be 'constitutionally inappropriate'. Again, when the Government of India required the assistance of a Provincial Government in carrying out public works in that province, the latter was not subject—in respect of those works—to the 'superintendence, direction and control' of the former. The position with regard to the administration of shipping and navigation, major ports and light-houses, was anomalous. These were central subjects, but powers concerning them were almost entirely vested by old statutes in the Local Governments.

With regard to the Transferred Subjects, the statutory restrictions on the exercise of the general powers of 'superintendence, direction and control' by the Government of India had 'the practical effect of permitting only their occasional use'. It was in service matters, where the administration of a central subject was concerned, that interference was sometimes resorted to. The Government of India claimed in 1928 that central control of transferred provincial administration had been 'exceedingly rare'.

Provincial Finance

'In finance, as in administration, the Reforms effected a formal distribution of interests between the provinces and the Government of India. But in finance, exercise by the Centre of the powers of superintendence, direction and control, and of interpretation and adjustment, offered a ground for greater conflict of interest than in general administration.' This was the result of three factors: the anomalies of the pre-1921 financial system, the 'general unpopularity' of the Meston Settlement, and the financial stringency of the early days of the Reforms.

The Act of 1919 gave the Provincial Governments a statutory financial position and a substantial measure of financial autonomy which, however, was subject to different types of limitations. The Act did not reduce the old statutory powers of the Secretary of State relating to the 'revenues of India'. He was empowered to relax those powers by means of rules framed under the Act, but it was no more than a permissive provision. The powers exercised by him under the Devolution Rules detracted very largely from the financial discretion of the Provincial Governments even with regard to the Transferred Subjects. He fixed the salaries of the All India Services, which had to be paid mostly by the Provincial Governments. Provincial loans had to be raised on behalf and in the name of the Secretary of State in Council although the security was furnished by the provincial revenues. This was, according to the Simon Report, 'an effective instrument of control, by which the financial stability of the provinces is secured'. The Secretary of State framed rules to regulate expenditure on imported stores. In practice, his control was exercised through the Government of India. Again, the Governor-General in Council retained full control over all financial matters relating to the Reserved Subjects as also some powers relating to the Transferred Subjects. He was the custodian of the provincial public account and was responsible for the ways and means of the provinces; consequently, he was invested with large powers in matters relating to the withdrawal of provincial balances. With regard to expenditure, the restrictions on the powers of the Provincial Governments were much less in the case of Transferred Subjects than in the case of Reserved Subjects.

On the whole, the restrictions upon the financial autonomy of the provinces fell into two main classes. In some cases, specified action was definitely and finally prohibited unless certain conditions were fulfilled. Thus, a loan might not be raised except for certain specified purposes, and no authority at all had power to relax this rule while it

remained in force. The second class of restrictions did not prohibit an action but required the sanction of higher authority before it could be performed.

The Report of the Meston Committee could not make a fresh review of the financial system because it was precluded from recommending any alteration, in the scheme of distribution of the sources of revenue unless it found the strongest reasons for such change. The scheme outlined in it was strongly opposed by several Provincial Governments, particularly the three Presidency Governments, and it was amended in important particulars by the Joint Select Committee. But the principal recommendation—the scheme of initial contributions—was accepted. The total result had an adverse effect on provincial administration, particularly in the Transferred Departments. The heads of revenue were divided in such a manner that provincial sources were either inadequate, or without any real potentiality for growth. The contributions to the Centre swallowed a large slice of provincial revenues, leaving an inadequate margin for provincial purposes. These initial defects were aggravated by the post-war economic crisis.

Under the Devolution Rules, there were three important sources of provincial revenue: (1) receipts from provincial subjects (including irrigation, land revenue, forest, excise, stamps and minerals); (2) share in the growth of revenue derived from or income-tax; (3) proceeds of taxes, imposed for provincial purposes. There was provision in the Rules for reduction of the provincial contributions to the Centre. As a matter of fact, these were gradually reduced and finally abolished in 1927-28.

The economic consequences of the Great War affected the operation of the new financial system. The expenses of post-war reconstruction, the fluctuations of prices, the instability of the currency, and impediments to industrial and commercial development created a situation which the Meston Committee had not anticipated. The estimates

which it had made of provincial surpluses were found to be entirely unreal in 1921-22. It was on the basis of these estimated surpluses that the capacity of the provinces to pay contributions and to provide funds for 'nation-building' had been assessed. Surpluses having been converted into deficits, there followed a three-year period of 'struggle of the Central and Provincial Governments to establish financial equilibrium by drastic economy and recourse to additional taxation'. The Muddiman Committee declared in 1924 that 'the difficulty arising from finance has formed one of the main obstacles to the success of the Reforms'. It was due to the Meston Settlement (the Committee observed) that Ministers had been 'unable to enter upon a policy of progressive development in the spheres of administration committed to their care' and 'to provide an answer to those critics who have reiterated the allegation that the reforms were a sham'.

Dyarchy

Dyarchy was described in the Montagu-Chelmsford Report as an 'experimental and transitional' system which 'involved the temporary coordination of two different principles of government', *i.e.*, responsibility in a limited sphere and complete irresponsibility in the larger area. The experiment did not take long to reveal its flaws.

The Simon Commission examined the working of the system in 'three widely differing provinces: Madras, Bengal and the Punjab'. It did not mention the Central Provinces where Dyarchy had a pronounced failure in the early years.

In Madras, the non-Brahmin Justice Party, committed to a consistent anti-Brahmin policy, secured a decisive majority in the Legislature. There was a closer approximation than was to be found elsewhere to the two-party system' and 'consequently the dyarchic system should have had a better

chance of working as its authors intended'. The Ministers were all chosen from the majority party; they accepted the principle of joint responsibility and acknowledged the leadership of a Chief Minister although no such office was contemplated by the Act. The Governor, Lord Willingdon, 'decided to ignore the provisions of the Act and to treat his Executive Council and Ministers collectively as a unitary cabinet'. This favourable situation changed to some extent as a result of the entry of the Swarajists into the Council in 1923. The Justice Party, with a reduced majority, formed the Ministry, but it was no longer independent of the support of the official bloc and the nominated members. In 1926 the Swarajists became the largest party in the Council, but they refused to accept office in pursuance of their all-India policy. A Ministry was formed from independent members, but it had no stability.

Bengal had a different history. As a result of the Non-cooperation Movement the first Council contained no representatives of the 'extremist elements', but there was no majority party from which to form a homogenous and stable Ministry. Three Ministers were appointed—one of them being Surendra Nath Banerjea. They were dependent on the support of their own personal adherents in the Council who were not united by any common programme. From 1922 to 1927, the Ministers and the Executive Council had joint meetings (whenever Ministries existed during those years), but in 1927 there was a return to the practice of holding some separate meetings of the Executive Council on matters connected with security and public tranquility which were not considered expedient enough to bring to the Ministers' notice.

In 1923 the Swarajists, led by Chitta Ranjan Das, came to the Council as the largest party. As constitutional propriety required, the Governor, Lord Lytton, asked Das to form a Ministry. He declined, and the strength of his party was directed to the wrecking of the Act from the

inside. The demands for the Reserved Departments in the budget of 1924 were rejected by the Council, but these were restored by the Governor. The Council also refused to approve Ministers' salaries; after interesting proceedings in the Council and in the High Court, the Ministers resigned and the Governor took temporary charge of the Transferred Subjects. In 1925 a fresh attempt to establish a Ministry was defeated. The transfer of all transferable subjects was then revoked for the lifetime of the existing Council: every department became Reserved. After the death of C.R. Das in 1925, the Swarajists withdrew from the Council, declaring that they had destroyed Dyarchy. In the third Council they continued to be the strongest party, but reduced in number. Between 1927 and 1929, several Ministers were appointed, but in each case, the tenure was cut short by no-confidence motions.

In the Central Provinces the Swarajists secured an absolute majority in the second Council. In 1924 the Governor appointed Ministers who had to resign after the adoption of a no-confidence motion by the Council and the wholesale rejection of the budget. The Governor stored the grants in the Reserved Departments, but in respect of the Transferred Departments (of which he took charge) only minimum expenditure was provided for. Attempts to form a Ministry failed in 1925 as also in 1926. The Swarajists then withdrew from the Council in obedience to the general policy of the Congress.

In the Punjab political grouping was determined by two principal factors: communal interests (the Muslims in opposition to the Hindus and the Sikhs) and conflict between urban and rural interests. The Muslims commanded a majority with the support of the official bloc. In the second Council there was a small group of Swarajists, but they practically disappeared from the third Council; the dominant political element was the Unionist Party representing the Muslims and the Hindu-Sikh rural interests. The

performance of Bengal and the Central Provinces could not be repeated in a political atmosphere marked by 'deep communal cleavages'. The Simon Commission explained the 'stability of the successive Ministries by the existence of an official bloc generally in a position to hold the balance between nearly equal forces of Muhammadans on the one side and Hindus and Sikhs on the other'.

There was really no scope for the emergence of political parties of the western type in Legislatures based essentially on the principle of separate representation for each of the main communities and interests. The Swarajists formed a well-organized and disciplined party, but their purpose was to make Dyarchy unworkable. In those provinces where their numerical strength was inadequate they 'tended ... in varying degrees, to be transformed into an opposition of a more constitutional kind, and . . . not infrequently played a useful part as keen and vigilant critics'. The Justice Party in Madras and the Unionist Party in the Punjab had some cohesion in respect of programme and organization. Other provinces had 'small fluid groups, generally communal or local in character'.

The expansion of the Legislatures and the increase of their powers, as also the growth of parliamentary experience, fostered trends towards the development of political parties. Regular meetings of groups and the appointment of Whips became more common than before. But the primary condition of a healthy party system was not fulfilled: no attempt was made to create a politically alert electorate, especially in the rural areas, capable of appreciating the meaning of the franchise and using it intelligently. 'There were no clear-cut electoral conflicts on issues on which the villagers were qualified to form their own opinions, no choice between rival programmes for the betterment of their lives'.

These facts are relevant to an understanding of the role played by the official bloc. The authors of the Montagu-Chelmsford Report wished to see the 'convention'

established that with regard to the Transferred Subjects, the official members would 'abstain from voting and leave the decision to the non-official members'. No such 'convention' was established, for Dyarchy's survival depended upon the support of the official bloc. The Simon Commission observed:

There is no province in which the official bloc has not at some time or other been of decisive value to Ministers, and in some provinces there has never at any time been a sufficiently large or cohesive ministerial party to enable Ministers to ignore the assistance of their official supporters.

The official bloc was reinforced in most cases by the nominated non-official members and the non-official Europeans. A Minister who enjoyed the confidence of the Governor did not realise the political necessity of educating the voters and organizing a party. Indirectly, therefore, the growth of parties was hindered by the existence of the official bloc.

The dependence of the Ministers on the official bloc, and the appointment of some ex-Ministers to be Executive Councillors, had an adverse effect on public opinion. A feeling arose that when an elected member of the Council became a Minister he became a 'Government man'. This not only affected his political image but also alienated some of his supporters among the legislators, thus increasing his dependence on the official bloc and hindering the growth of a party behind him. The Executive Councillors, in their turn, counted upon the votes of the Ministers' supporters in the Legislatures. Thus, the two halves of Government were 'thrown into each other's arms through their relations with the Legislature, no less than by the impossibility of conducting the administration in compartments'. The result was (as the Simon Commission noted) that 'the underlying and fundamental conception of the diarchic system'—complete 'responsibility' of Ministers in a certain defined

field, and in that field only—became ‘almost hopelessly obscured’.

This was probably unavoidable as long as both halves of Government had to present themselves before the same Legislature. Provincial Legislatures discharged two different functions at the same time. In the transferred area they were to exercise control over policy; in the reserved area they were critics, free even to withhold supply, but without any responsibility. It was not easy to keep this distinction in mind; as a result, there was a ‘marked tendency’ on the part of the councils ‘to regard the Government as a whole, to think of Ministers on a footing not very different from that of Executive Councillors, to forget the extent of opportunities of the legislatures on the transferred side and to magnify their functions in the reserved field’.

The use of the Governor’s special overriding powers in respect of legislation and ‘restoration’ in financial matters was, in the opinion of the Simon Commission, ‘sporadic and limited, except in Bengal and the Central Provinces where they have at times had to be used in a wholesale manner’. Where ‘cuts’ were moved and carried for the purpose of securing economy. Provincial Governments frequently accepted the reduction.

An assessment of working of Dyarchy at the initial stage was made by the Reforms Enquiry Committee appointed in February 1924. Its Chairman was Sir Alexander Muddiman, Home Member of the Government of India. Apart from the Chairman, it had six Indian and two European members. In 1925 it submitted two Reports: a Majority Report signed by the Chairman and four members, and a Minority Report signed by four members. The Majority concluded that ‘the evidence before us is far from convincing that it (Dyarchy) has failed’. The Minority concluded that ‘the constitution requires being overhauled’ because it ‘has failed’ for several reasons.

The Majority Report analysed the working of Dyarchy in different provinces and observed: 'The partial dyarchy which was introduced is clearly ... a complex, confused system'. 'Complete dyarchy'—'a complete vertical division of functions between the two halves of a Provincial Government', each with a separate purse, a separate permanent staff and a separate Legislature—had not been established. It may be noted that the authors of the Montagu-Chelmsford Report had set aside the idea of establishing 'dualism' of this type on the ground that it would 'enhance the division between the two elements in the Government which it should be our object by every possible means to minimize'.

The 'specific allegations' against Dyarchy were summarised in the Majority Report.

First, joint deliberation had not been encouraged between the reserved and transferred sides. Secondly, there was no joint responsibility of the Ministers. Thirdly, there was 'impinging of the administration of reserved upon the administration of transferred subjects, and vice versa'. Fourthly, the permanent officials failed to cooperate with the Ministers. Fifthly, the control of the Finance Department being vested in a Member of the reserved side of the Government, the transferred side was subject to excessive financial control. Finally, the Act did not vest real authority in the Ministers who were subject to the control of the Governor, the Government of India and the Secretary of State.

The Simon Commission found that Provincial Governors, had, generally speaking, encouraged the operation of the two halves of Government 'as a single whole, rather than keeping separate the two component parts'. This was largely due to 'the practical impossibility of conducting Government—at all events so far as major questions are concerned—in watertight compartments'. Separate meetings of the Executive Council were 'comparatively infrequent', and those of the Governor and Ministers alone together 'rarer still'. This was the general trend, although the precise extent to which the policy of 'unified consultation' was

carried out varied from province to province and from time to time in the same province.

It was far more difficult to establish joint responsibility of the Ministers in the absence of organized political parties and stable majorities in the Legislatures. As the Majority Report pointed out, it was difficult to select Ministers from a single organized political party, especially where communal differences were acute. Moreover, joint responsibility practically involved the recognition of a Chief Minister. The Simon Commission found that the principle of joint responsibility was recognized by the Justice Party Ministers in Madras. It also referred to a Minister of the United Provinces resigning, along with another Minister, on a matter arising in the latter's department. In Bengal one Minister was prepared to accept the Council's no-confidence vote against another Minister as a vote against the Ministry to which they both belonged; but the Council insisted on carrying two separate votes, thereby refusing to recognize the principle of joint responsibility.

The recommendation of the Joint Select Committee that the principle of collective responsibility of Ministers should be established from the start clearly implied the Governor's consultation with the Ministers as a body. The intention of the framers of the Act was forgotten—or ignored—by the Governors; their usual practice was to consult the Ministers separately. The Majority Report regarded joint responsibility of the Ministers as 'the essence of the present Constitution' and recommended that the Instrument of Instructions and tin' Devolution Rules should be amended to provide for the operation of a jointly responsible Ministry.

As provincial administration could not be carried on in watertight compartments, the Reserved Subjects impinged on the Transferred Subjects, and vice versa. Irrigation, for instance, was a Reserved Subject while agriculture was a Transferred Subject. Finance, a Reserved Subject, was the controlling factor in respect of all Transferred Subjects

concerned with nation-building. Rules framed under the Act vested the Governor with final authority in all matters of disagreement—including the distribution of expenditure—between the Executive Council and the Ministers.

The Majority Report had no doubt that the members of the permanent services, generally, loyally cooperated with the Ministers in working the Reforms although a few exceptions were possible. This generalisation is an oversimplification of a complicated issue. There was an alarm in Indian Civil Service circles that the Reforms would affect their powers and privileges. Not only were new recruits hesitant to join the coveted service, but some of those who had joined it welcomed premature retirement. There was uneasiness—if not suspicion—on both sides, and the atmosphere was not congenial for unhesitating co-operation.

The Minority Report noted two factors which affected the relations between the Ministers and the civil servants. The first was 'the natural difference between the points of view of members of the permanent services and the Ministers with regard to questions of policy, inasmuch as they represent different schools of thought, one bureaucratic and the other popular.' The other factor was that members of the services could look to higher powers for the enforcement of their views in cases of disagreement with the Ministers—a system which naturally undermined the latter's authority. At least in those provinces where the Governor was drawn from the Indian Civil Service, senior officers' views were likely to be given greater weight than the Ministers' wishes. In the opinion of the Joint Select Committee, it was one of the Governor's 'most important duties to establish a complete understanding between his Ministers and the officers through whom 'they will have to work'. This injunction made the Governor a mediator between his Ministers and those officers who served directly under them. The Ministers could not choose officers through

whom they had to work, nor could they get rid of—by transfer—any officer whom they did not approve of. Under the Devolution Rules no order for the posting of an officer of any All-India Service could be made without the personal concurrence of the Governor.

The Rules of Executive Business which governed day-to-day administration placed the Secretary to a Department in a special position which affected the Ministers' authority. The Secretary was required to submit to the Governor cases which, in his opinion, deserved the Governor's attention. He could do so when the Minister differed from him, or from the head of an administrative department, or from the Commissioner of a Division. The Rules specified certain categories of cases (including proposed circulars on important principles or changes, proposals on legislation or taxation or the raising of loans, all proposed orders affecting emoluments, etc., to the disadvantage of an officer of an All-India or Provincial Service, all proposed answers to questions to be asked in the Legislative Council, etc.), which had to be submitted to the Governor after consideration by the Minister in charge and before the issue of orders. The Governor could specially direct any particular case or class of cases to be submitted to him. The Secretary as also the heads of administrative departments had direct access to the Governor; the former, in fact, had a weekly meeting with him. These procedural directives placed the Ministers in an unenviable position. On the question of the Secretary's direct access to the Governor, the Majority Report supported the existing practice on the plea that the Secretaries were 'Secretaries to Government and not Secretaries to the individual Minister or Member of (Executive) Council'. But 'Government' as a unit, or Members of the Executive Council as individuals in charge of Reserved Subjects, were not responsible to the Legislature, to which a Minister was responsible, and he could not admit on the floor of the House that he had been overruled by the Governor in respect of a matter relating to his department.

The greatest headache of a Minister was his relation with the Finance Department which was in charge of a Member of the Executive Council. It occupied a 'peculiar and distinctive position' in the administrative system, for, its functions, which included control of expenditure, brought it into intimate contact with all other departments. Its functions, as also its relation with the "transferred and Reserved parts of the Government, were defined in the Devolution Rules, it examined and reported on all schemes of new expenditure, on questions relating to establishments, on taxation, and on loans, it was not required to take part in the allocation of revenues which was a matter for agreement between the two halves of the Government, nor was it required to initiate taxation. Its duty was to report on proposals of fresh taxation coming from other departments. Its advice could not be rejected by a Reserved Department without reference to the Executive Council. A Minister might disregard it, but in such a case the Finance Department could demand a reference to the Governor. This was the theoretical position, but practice was generally different. New schemes which had not been examined by the Finance Department were not included in the estimates. In examining schemes and proposals, it considered not only the financial aspect but also the policy behind them. It had the general power to sanction reappropriation from one head to another. There were complaints that it often looked more to the interests of the Reserved Departments than to those of the Transferred Departments. It was alleged that the Finance Departments 'have proved a clog to the wheel of Indian progress and an impediment to the success of the Reforms'.

It was for the Governor to allocate a definite proportion of the provincial revenues to the two parts of the Government, unless agreement could be reached between them without his exercising this power. This procedure gave two advantages to the Finance Member. It was his department which controlled the data relevant to allocation and collated

the various suggestions and demands. As a Member of the Executive Council who was presumed to have special knowledge of financial matters, he carried special weight not only in joint deliberations of the two parts but also with the Governor. The Simon Commission noted with satisfaction that there had been no occasion in any province where the Governor had to use his reserve power, for agreements were always reached by the two halves. Explaining the difficulties of Ministers in the United Province, one of them, C.Y. Chintamani, observed 'that pretty frequently they had to go before the Governor, pretty frequently the Governor did not side with them, and pretty frequently they could only gain their point in the end by placing their offices at the disposal of the Governor'. Sir Surendra Nath Banerjea complained: The nation-building departments never got more than 35 per cent of the total revenues of the province, the balance going to the Reserved side'.

The Ministers' difficulties were aggravated by the restraints imposed on provincial finance by the Meston Settlement. The Minority Report observed that it had 'crippled the resources of the provinces' and 'prevented Ministers from developing nation-building Departments to the extent which would have enabled them to produce any substantial results'.

There was a fundamental anomaly in the position assigned to the Finance Department. As the Government of India pointed out in its Memorandum to the Simon Commission: 'It continues to be a unified department and administered by a Member of the Executive Council, but deals with two final authorities for the preparation of schemes and for the sanction of expenditure, only one of which is directly subject to the financial control of the Legislature. C.Y. Chintamani suggested that, the Finance Department being 'common to the whole Government', it should be left to the discretion of the Governor which of his colleagues he should place in charge. Not to speak of

placing a Minister in charge of this Department (which was not permissible under the Devolution Rules), no Governor entrusted this responsibility to an Indian Member of the Executive Council; the plea was that it was a job for trained men only.

The actual working of the Reforms in the provincial sphere depended to a large extent on the political judgement and tact of the Governor. The Montagu-Chelmsford Report did not contemplate a 'purely constitutional Governor' who would be bound to accept the decisions of his Ministers; he had to have 'a power of control', but their advice was to be rejected 'only when the consequences of acquiescence would dearly be serious'. The Act empowered the Governor to take action otherwise than in accordance with the advice of the Ministers only when there was 'sufficient cause'. This provision, coupled with the 'special responsibilities' vested in the Governor by the Instrument of Instructions, enabled him to exercise a measure of authority which did not secure to the Ministers their rightful position in the constitutional structure. C.Y. Chintamani concluded that 'the manner in which the system works in a province is almost entirely what its Governor makes it'.

The absence of organized parties created difficulties for Governors in respect of selection of Ministers; at the same time it enabled them to effectively control such persons who were prepared to take office. It was through the Governor that they secured the votes of the official bloc and the nominated non-official members. Without the Governor's personal goodwill they could not count upon the support of the Executive Councillors and the departmental Secretaries. Obliging ministers were sometimes rewarded by being appointed as Executive Councillors. There were firm Ministers, indeed, who could usually have their way, but the normal difficulties and temptations were demoralising. A Madras Minister, the Raja of Panagal, declared in 1923 that he was responsible only to the Governor.

The Majority Report could not declare that Dyarchy was a success, and its qualified verdict found little public support. A motion in the Legislative Assembly for its acceptance was virtually nullified through the adoption of an amendment demanding large-scale constitutional reforms.

On one point the failure of Dyarchy was undeniable. It failed to serve the primary purpose of its authors: it did not provide a real training in responsible government. So far as the voters were concerned, the proportion of illiterate persons was very high and the rural constituencies were unwieldy, but the average percentage of votes polled in all provinces (except Burma) rose from 29 in 1920 to 42.6 in 1926. The absence of an organized party system prevented real and continuing contact between the voters and their representatives. Secondly, the members of the Legislatures, divided on communal and local or parochial issues, failed to establish healthy traditions either as supporters of the Government or as its constructive critics. Thirdly, meaningful conventions leading to constitutional progress of the British pattern did not develop in the working of the Transferred Department. Thus neither the voters, nor the legislators, nor the Ministers passed through a stage of successful apprenticeship which might have prepared them for larger political responsibilities.

Local Self-Government

The Act of 1919 inaugurated a new stage in the development of local self-government. It was one of the Transferred Subjects placed in charge of Ministers. Thus, it was for them, and for the new Legislative Councils, to 'clothe the various local bodies with greatly enhanced powers, freeing them from official control and making them responsible to a substantially enlarged electorate'. This task was accomplished in haste, and without proper consideration of the practical problems which the new local bodies would have to face. The most important change was the substitution—in

every province, except the Punjab—of an elected Chairman in almost every District Board and Municipality in place of the District Magistrate. A change, equally important, was the democratisation of the constitution of the local bodies: lowering of the franchise, removal of disqualifications of women candidates, reservation of seats for backward and scheduled castes, provision of seats for labour, etc. Official influence was curtailed through reduction of the strength of nominated members.

The Report of the Simon Commission gives, on the whole a distressing picture of the result of these experiments although it 'gives due weight to much good work that stands to the credit of many local bodies'. The Commission was 'struck by a common failure to realise the magnitude of the change involved, which was little less than the introduction of a new-system'. It compared the operation to 'the demolition of part of an old established and homogeneous building and the erection in its place of a structure designed in an entirely different style of architecture'. This 'different style' was based on the principles and practice of British Local Government which were 'not fully appreciated' by the new law-makers.

As a result of the removal of official Chairman, the local bodies were now free from 'official control in day-to-day administration; they were, at the same time, deprived of the experiences, information and administrative assistance which the highest executive official of the district could place at their disposal. From the standpoint of efficient transaction of business, the elected Chairman, unaided by a competent official like the English Town Clerk or Clerk to the County Council, was in a very difficult position. In the British system a clear distinction was drawn between the spheres of action of the elected representatives and of the officer of a local authority. No such differentiation of functions was provided for in the new Indian system. In some provinces, provision was made for the appointment of

executive officers; but the method of appointment and the terms and conditions of service were such that they could not function as expert civil servants with reasonable freedom to discharge their duties.

The local bodies were affected by communal and sectional differences. The extended electorate found the principal motive power in respect of voting generally in communal, caste and parochial considerations rather than in issues of efficiency of administration and improvement of amenities. The backward classes, including the religious minorities, pressed for their separate claims and for their due share of material benefits. The upper castes, relying on their education and wealth, fought for the preservation of their traditional dominance. Local self-government did not promote integration of national life or encourage social cohesion. Lord Ripon's dream of local self-government as a system of political education remained unrealised.

The intrusion of politics into the local bodies diverted them from discharging their proper functions. The Non-cooperation and Khilafat Movements affected them at the initial stage of development under the new system. Gradually the principal political parties established their control over these bodies in varying degrees and reduced them almost to the position of their local agencies. The mingling of national with civic politics was totally inconsistent with the normal role of local bodies in democratic countries. The local bodies had to function with limited financial resources, and even these were not properly utilised because the management was inefficient and policy was influenced by parochial considerations. The elected representatives were reluctant to impose new taxes—even to enforce regular collection of old taxes—lest they should lose their popularity.

The mistakes of the local bodies were not corrected by the Provincial Governments. They were created by statutes, and they could be put on the right track only through the exercise of statutory powers. They had not developed

from indigenous institutions with an inner corrective process at work to cure their maladies. But, the Provincial Governments had their hands tied by the formula laid down in the Montagu-Chelmsford Report that there should be 'the largest possible independence' of the local bodies 'of outside control'. This was due, according to the Simon Commission, to the wrong idea that in Britain all local authorities enjoyed immunity from control of the Central Government. However, in the new Indian system, the link severed by the withdrawal of the District Magistrate from the local bodies was not restored through the assignment of specified functions to the staff of the Minister for local self-government. The only effective powers of the Minister were those of suspension and dissolution for grave misconduct; he was powerless to guide or to administer less drastic treatment for mismanagement. 'Where spur and rein were needed, the Ministers were only given a pole-axe.' Control might have been resented when it was exercised by British officials, but there was little ground for resentment when it was to be exercised by a Minister responsible to the Legislature.

Minor Administrations

Entirely outside the Governor's provinces were six units of administration which did not share in the full system of provincial reforms under the Act of 1919. These 'Minor Administrations' (the North-West Frontier Province, British Baluchistan, Delhi, Ajmer-Merwara, Coorg, the Andaman and Nicobar Islands) had two common features: their heads were called Chief Commissioners who acted under the direct control of the Government of India; their budgets, except in the case of Coorg, were parts of the budget of the Government of India.

The Chief Commissioner of the North-West Frontier Province was in charge of five districts which were under

direct British administration. In addition, he was—in his capacity of Agent to the Governor-General—in political charge of the unadministered tribal tracts. The Chief Commissioner of British Baluchistan directly administered only a small part of the province, but he was in administrative charge of the ‘Agency areas’ in his capacity of Agent to the Governor-General.

There was an active demand in the North-West Frontier Province for the introduction of political reforms, to which there were three main objections from the official point of view. First, there could be no reforms in the tribal area, which was, properly speaking, no part of British India. Secondly, the question of law and order (which in other parts of British India was a domestic and internal matter) was in this province closely related to foreign and diplomatic policy and imperial defence. Thirdly, the province had no real experience at all of the principle of election. These objections were set aside after discussion at the Round Table Conference, and in 1932 the North-West Frontier Province became a Governor’s province with the benefit of reforms. In British Baluchistan there was no demand for representative institutions of a western type.

Delhi was represented in the Central Legislative Assembly by one elected member, and its Chief Commissioner was in practice nominated a member of the Council of State. The Central Legislature could make laws for Delhi; moreover, the Governor-General in Council had the power of extending to it any Acts in force in any other part of British India. Ajmer-Merwara had one elected seat in the Central Legislative Assembly which was empowered to pass laws for the province. Moreover, the Governor-General in Council could legislate for it by Regulation. Coorg was given a Legislative Council of 20 members, with legislative, deliberative and interrogatory powers. The Andaman and Nicobar Islands had no representative institutions.

Public Services

The framers of the Act of 1919 anticipated that the new role required of the Indian Civil Service in the new constitutional system would not be 'altogether agreeable' to some of its British members. Accordingly, special provisions were made by and under the Act for safeguarding the interests of the members of the Service. These, however, did not succeed in creating a feeling of security. In the I.C.S. Examination of 1921, there were only 26 European candidates out of a total of 86. Of the 16 successful candidates only 3 were British, and of these one retired almost immediately after joining. To create an atmosphere of confidence, the Prime Minister, Lloyd George, speaking in Parliament in August 1922, described the members of I.C.S. as 'the steel frame of the whole structure' of administration in India and declared that the Service would never be 'crippled' or 'deprived of its functions or of its privileges'. Even this assurance was not considered sufficient. By 1924, the number of All-India Service officers who retired on proportionate pension under a scheme adopted by the Secretary of State in Council rose to 345. A serious vacuum was thus created, for during the war years (1915-18) only 29 men (17 British and 12 Indians) had joined the Service.

These difficulties led to the appointment (1923) of the Royal Commission on the Superior Civil Services in India with Lord Lee as Chairman. Its Report in 1924 recommended that recruitment to the Indian Civil Service, the Indian Police, the Indian Service of Engineers (Irrigation Branch) and the Indian Forest Service (outside Bombay and Burma) should continue to be made on an all-India basis because these operated in the Reserved field and comprised the agencies upon which public security and finance mainly depended. With regard to those All-India Services (the Roads and Buildings Branch of the Indian Service of Engineers, the Indian Educational Service, the Indian Agricultural Service, the Indian Veterinary Service and the Indian

Medical Service—civil) which operated in the Transferred field the control of Ministers should be made more complete by closing the recruitment for them on an all-India basis.

With regard to the Indianisation of the four All-India Services, the Commission made concrete proposals: In the Indian Civil Service, 20 per cent of the superior posts should be filled up by the appointment of Provincial Service officers to 'listed posts'; in the future, there should be equal numbers of Indian and European direct recruits. It was estimated that by 1939 half of the I.C.S. would be Indian (including Indians in 'listed posts') and half European. In January 1929, there were in the I.C.S., or holding I.C.S. posts; 894 Europeans and 367 Indians. For the Indian Police, direct recruitment was to be in the proportion of five Europeans to three Indians. For the Indian Forest Service recruitment was to be 75 per cent Indian and 25 per cent European. For the Indian Service of Engineers, there was to be direct recruitment of Indians and Europeans in equal numbers.

In order to facilitate recruitment of Europeans, the Commission recommended better emoluments and monetary privileges, *e.g.*, increase of basic pay for the Indian Police and the Indian Service of Engineers, increased pension for some categories of I.C.S. officers, concessions regarding passage and exchange rates, etc. The recommendations of the Commission were accepted (save in some details) by the Secretary of State in Council and enforced. In the Central Legislative Assembly, an official resolution seeking to give effect to the recommendations was negatived (September 1924).

In 1927 the Government of Bihar and Orissa reported that as a result of the Reforms, the position of the District Officer had 'definitely changed for the worse'. In the pre-Reforms days he was 'actuated by the guiding principle' of improving his district and he had 'power in his manifold capacities to give effect to his ideas'; but 'this idealism' had been replaced in the post-Reforms years by 'an attitude

of half-cynical criticism'. Probably this was true of other provinces as well. Wavell wrote to Amery (1 November 1943) that, in Bengal at least, the effect of provincial autonomy had been to 'break the spring of the civil services'. This he regarded as 'perhaps the inevitable consequence of establishing democratic institutions in a country not fully ready for them'.

Dyarchy And Non-Co-operation

To summarize the history of India from 1916 to the present time, on the limited scale suitable to this book, is no easy task. It is only possible here to deal with the outstanding events and main currents of the vast constitutional movement which is the predominant feature of the epoch, and it is open to any critic to aver that a different selection from facts embarrassingly abundant would justify quite another interpretation of them. That charge, however, must be risked, and the writer can only, as impartially as possible without a surrender of convictions, trace the course and analyse the causes of the development, as it presents itself to him, remembering always that he moves in an atmosphere heavy with the dust of conflict and shot with the fiery afterglow of controversies still sullenly smouldering.

These controversies were honest and the cleavage of thought that produced them is one of those that strike, down to the deepest foundations of political faith. To ignore, or omit the record of, them would be to present a misleadingly smooth and flattering view of intractable and disconcerting facts. Some regard the development since 1919 as—in the words of Lord Zetland—‘an experiment in the domain of statecraft unparalleled in the annals of mankind’—as the unique and altruistic effort of a sovereign nation to endow subject peoples with powers hitherto exercised, in their behalf but not through their agency. Others honestly regard

it as the ignoble surrender, under constant political pressure, of high imperial task, which Great Britain in a mood of faltering introspection has no longer the self-confidence to claim for herself—a dreary and futile attempt, by a series of desperate make-shifts, to placate the implacable and win a political gratitude which is everlastingly withheld from her.

No one can gainsay that the advance has been made at a rapidly accelerating pace. India in a period of less than thirty years, that is since 1909, has passed through, as in a headlong constitutional cavalcade, changes the like of which were only consummated by Great Britain in five or six hundred years. It is only necessary to enumerate the stages marked by the Morley-Minto reforms (1909), the proclamation at the Delhi Durbar (1911), the Government of India Act (1912), the promise of responsible government (1917), the Montagu-Chelmsford report (1918), the Government of India Act (1919), Lord Irwin's pronouncement on dominion status (1929), the Simon Commission report (1930), the Round Table Conferences (1931-2), the White Paper (1933), the report of the Joint Select Committee (1934), the Government of India Act (1935), and finally the inauguration of provincial governments responsible to elected legislatures (1937). Great Britain, however, has been given little credit for this almost breathless rate of constitutional progress, and the aplomb with which Indian extremists invariably declare that they see no cause for thankfulness in concessions which exceed a thousand-fold the most extravagant expectations of a few years before, extorts admiration at least by its hardihood. Truly, indeed, has it been said that 'the Indian *intelligentsia* exhibit the mentality of a traveler who is consumed with the desire to arrive at the end of a long and difficult journey. Every stage, no matter how essential, is a fresh grievance; any obstacle, no matter how inevitable, an intolerable outrage; every advance, no matter how noteworthy, is ignored and

forgotten in comparison with the distance which has yet to be painfully traversed'.

We have, however, probably far more friends in India than we shall ever know—friends and well-wishers who dare not declare themselves. It has become an accepted convention, even with the parties least inimical to British suzerainty, that, unless they are to forfeit all popular support at the outset, they must never allow themselves to be started into any expression of political gratitude; and that they can only agree to work reforms with the ultimate purpose—avowed at any rate, if not always intended—of overthrowing the constitution of which they form a part. It is not of course meant that this tendency is a special defect inherent only in Eastern psychology. It is equally characteristic of the mentality of Western pioneers. In the wide turning movements, made by democratic parties to outflank the strongholds of conservatism, the place of honour is always regarded as being on the extreme left of the line, and the more responsible and more vital armies of the pivot and the centre miss the sunlight of renown that gleams on the spearheads of the far-flung outposts. Indians, indeed, have been all too faithful students, not only of our faith in liberty, but of the questionable methods we have often employed to obtain it. We are, to adapt Edmund Burke's phrase, the unfittest people on earth to argue our fellow subjects back into acquiescent submission to paternal autocracy.

The Act of 1919, as we have seen, had established diarchy—an ingenious scheme by which responsible government might be learnt in stages by progressive scholars in the school of constitutionalism, in the less before the more important departments, and in the provincial before the central sphere of administration. This form of government, however, never had perhaps any real friend except its sole begetter, Mr. Lionel Curtis. The authors of the Montagu-Chelmsford report only fell back upon it

as a *pis aller*:—‘Hybrid executives, limited responsibility, assemblies partly elected and partly nominated, divisions of functions, reservations general or particular, are devices that can have no permanent abiding place.’ It was ‘the best transitional mechanism’ that appeared ‘after a prolonged examination of alternatives’. Herein, indeed, lurked the seeds of trouble. There have often no doubt been transitional periods in history, but they were only discovered to be such in the retrospective survey of historians. Successive stages in national development have generally been regarded as final by each generation in turn. The peculiarity about the decade 1919-29 is that it was a period required, so to speak, by statutory enactment, to contemplate self-consciously its own ephemeral nature, with the inevitable result that it was always hastening despairingly to a long-anticipated death-bed.

Quite apart from this, it must be acknowledged that the circumstances of the time would have made the working of the Act in any case supremely difficult. The aftermath of the war,—its economic, social, and psychological effects, produced a general restlessness and discontent—as in other countries of the world—peculiarly unfavourable to political experiment; while permeating the whole texture of Indian life was the corrosion of communal bitterness—that ‘abyss of unchained human passions’, to quote Lord Irwin, ‘which lies too often beneath the surface of habit and law’.

Mr. Gandhi, uniting in his own person the culture of the West with the racial and religious instincts of the East, rallied, many sections of Indian and even world opinion—he had an enthusiastic following in the U.S.A.—against the government. Few can doubt his sincerity or his magnetic power. Mr. Jawaharlal Nehru, who is often at issue with him but regards him with a kind of despairing affection, writes:—‘Reactionary or revolutionary, he has changed the face of India, given pride and character to a cringing and demoralized people, built up strength and consciousness in

the masses, and made the Indian problem a world problem.' Mr. Gandhi was aided not only by the extraordinary veneration felt for his character and services, but by his own acute political intuition and an efficient and astute organization. Few governments have been called upon to encounter in an adversary so formidable a union of the qualities of the mystic and the schemer. From that date till the present time (1938), though his opposition has passed through various stages of intensity or quiescence, the Indian government has never been able to leave him out of account. But his course is so incalculable, that he is often as great a problem to his supporters as his opponents. For if his policy of non-co-operation, civil disobedience, boycotts, and *hartals* (the enforced closing of shops as in times of public mourning) was directed against the government, his financial policy was often disliked by the Hindu mercantile class, his crusade on behalf of the untouchables alienated the most orthodox set of the Hindus (the *Mahasabha* party) and, curiously enough, was often resented by the very classes whose cause he was attempting to champion, while his insistence that every member of Congress should spin two hundred yards of cotton a month aroused but modified transports of enthusiasm in the hearts of the sophisticated politicians of the Congress party. As time went on, the stresses and strains set up by his personality caused splits and divisions in the nationalist ranks, while the embarrassments of his penitential fasts, like the rains of heaven, descended alike on the just and the unjust

In 1919, then, Mr. Gandhi inaugurated the policy of non-co-operation which had brought him success and fame in South Africa. The pretext was the passing of an Act controlling the Press, providing for the trial of political offenders by judges without juries, and legalizing the internment of persons suspected of subversive aims. This measure was designed to implement the recommendations of the Rowlatt Committee on revolutionary propaganda. The Act was undoubtedly called for, if only temporarily,

to maintain special powers granted to government by the Defence of India Act, which was about to lapse. The opposition was based on sentiment rather than on reason, for the most stringent clauses were limited in time, gave the government weaker powers than it had exercised under the Defence of India Act, and could only come into operation in conditions of peril carefully defined.

In March and April 1919 ominous disturbances broke out in Delhi, Gujarat, and the Punjab. Trouble in Afghanistan at the same time made the position still more precarious. On April 10 at Amritsar the mob rose, murdered four Europeans with horrible brutality, maltreated a lady missionary, leaving her for dead, and burnt to the ground banks and government buildings. The whole European community was in the gravest peril, and the civil authorities handed over the situation to the military. On April 13 a turbulent crowd in flat defiance of proclamations forbidding public meetings, assembled in a semi-enclosed space known as the Jallianwala Bagh. General Dyer marching thither with a tiny Indian force of fifty rifles and forty men armed with other weapons fired on the mob for ten minutes killing 379 and wounding 1,208. There can be no doubt that Dyer acted in good faith, having convinced himself that 'a determined, and organized movement was in progress to submerge and destroy all the Europeans on the spot... and to carry the movement throughout the Punjab', and the general opinion in Amritsar was that his action had saved the inhabitants from unspeakable horrors. But the large number of casualties naturally aroused strong criticism, and the episode was described in Parliament by Mr. Asquith as 'one of the worst outrages in the whole of our history'. A reasonable view is that, when every allowance is made for the terrible dangers that surrounded him, Dyer committed three disastrous errors of judgement, the first in not giving the crowd a final order to disperse before opening fire, the second in continuing to fire too long, the third, eight days

later, in issuing the notorious 'crawling order'—that Indians traversing a certain street should do so on hands and knees. But he had passed through a terrible time of strain and anxiety and had at least an arguable defence on the first two points. He had good reason also to complain of the way in which he personally was treated. His conduct was at first approved by superior military authorities in India and the Lieutenant-Governor of the Punjab. He was given a higher command in the Afghan War, in which he did good service. Six months later a committee under Lord Hunter, a Scottish judge, was appointed to inquire into the troubled state of north-west India. They reported adversely on General Dyer's action at Amritsar on the ground that the duty of an officer on such an occasion was only to take measures necessary to save life and prevent the destruction of property, not to conceive it as incumbent upon him to strike terror into the province generally. The Government of India accepted this view, their considered opinion being that 'General Dyer acted beyond the necessity of the case, beyond what any reasonable man could have thought to be necessary, and that he did not act with as much humanity as the case permitted'. The Secretary of State also censured him, and the Commander-in-Chief required him to resign—an action upheld by the Army Council. Many thought he had been harshly dealt with, and subsequently the House of Lords and Mr. Justice McCardie in the famous case *O' Dwyer v. Nair* averred that his drastic action at the Jallianwala Bagh was justified and saved British rule in northern India. Whatever the final judgement of history may be, there can be no doubt that the episode at one time seemed to have opened up an unbridgeable gulf between the Indian and the British race.

In the meantime, in an atmosphere thus unhappily suffused by race enmities, the first elections under the new constitution were held in October 1920. They were boycotted by the Congress party, but about two million voters, a third of the total electorate, went to the polls. Ministries were

formed in the provinces, but, except in Madras, where the non-Brahmans secured enough seats to form a homogeneous cabinet, they had to be selected from various political groups. The Duke of Connaught opened the new central Indian legislature at Delhi on February 9, 1921, and read a, gracious message from the King-Emperor:—‘For years patriotic and loyal Indians have dreamed of *swaraj* (Home, Rule) for their Motherland. To-day you have the beginning of *swaraj* within my Empire and the widest scope and ample opportunity, for progress to the liberty which my other Dominions enjoy. Lord Chelmsford proclaimed that henceforward a guiding authority was to take the place of autocracy.

The new constitution on the whole, may be said to have worked better than could have been expected. This was partly due to the fact that, since the extremists held aloof, the moderates found themselves in a majority. Every effort was made by the permanent officials, as the Muddiman Committee reported, to make the administration both of the reserved and the transferred departments a success. The same policy of active good will was proved by the readiness of the Indian government to surrender many of the passes of British supremacy, which it had held so long. It allowed, for instance, a system of Protection to be set up, which but a few years before, would have been stoutly resisted as detrimental to British interests, if not to the welfare of Indian consumers. The special privileges hitherto enjoyed by Europeans, when appearing before Indian Courts, were mostly abolished, and eight units of the army were set apart for Indianization in respect of their officers.

But in 1923 the *Swarajists* (a Congress Home Rule party under the leadership of Pandit Motilal) stood for election to the legislatures and, since they were largely successful, the prospects of dyarchy, which up till then had seemed to be fulfilling its function of training Indians in constitutional government, became at once overclouded. Amongst other

events and tendencies, which also proved unfavourable to the hopes that had inspired the framers of the 1919 Act, the following may be enumerated:—the necessity forced upon the Governor-General, Lord Reading, of certifying Sir Basil Blackett's Act for doubling the salt tax—the only possible method of bringing to an end a series of annual deficits: the growing desire for the Indianization of the army coupled with the disinclination of the right kind of Indian youths to seek commissions: the grant to India of membership of the League of Nations, and a place at the Imperial Conferences of 1921 and 1923—a privilege which was meant to enhance her status both in her own eyes and in those of the world, but unhappily only made the Indian representatives feel keenly their inferiority to the Dominions when they found they could get little redress for the disabilities suffered by Indian emigrants to other parts of the Empire. There were besides, the riots caused by Mr. Gandhi's non-co-operation policy which marred the occasion of the Prince of Wales landing at Bombay in November 1921 and ultimately resulted in the trial and incarceration of Mr. Gandhi himself, after the dastardly murder by his misguided followers of twenty-one police-officers at Chauri-Chaura in February 1922:—the overthrow of dyarchy by extremist majorities in Bengal and the Central Provinces, resulting in the governors in these provinces being forced to take the administration into their own hands:—the ungenerous reception given to the report of the Lee Commission on the Indian services in 1923, though it approved of Indianization at an accelerated rate which seemed positively dangerous to civil servants of the older generation and clearly envisaged the gradual disappearance of the European element altogether except in the covenanted civil service, the police force, and in certain technical branches of public work such as engineering and irrigation:—finally a strong minority of Sir A. Muddiman's Committee on the working of the reforms, which reported in 1925, proclaimed that dyarchy was unworkable.

Another movement causing trouble to the government was the uneasiness of the Indian Moslems, first shown in 1919, as to the future of the Khilafat and the safety of the famous shrines of Islam, which were in jeopardy owing to the rash policy of the Ottoman Porte. The Muhammadan party were bitterly antagonized by that section of British and American opinion which was clamouring for the expulsion of the Turks from Europe. Mr. Gandhi, not particular about the elements of opposition that he could bind together against the government, did not scruple to ally himself with the extremist Moslem leaders, the brothers Mohammad and Shauhat Ali. A singularly reckless and heartless scheme was set on foot of leading a *Hijrat* or migration of devout Muhammadans from India to Afghanistan which proved, as could easily have been foreseen, a disastrous failure. The road from Peshawar to Kabul was dotted with the graves of the hapless and misguided pilgrims. The Ali brothers finally called upon all Moslem sepoys to desert, and were imprisoned. The sting was very largely taken out of the Khilafat movement by the fact that Turkey was cutting herself adrift from her ancient moorings, and the Angora Assembly in 1924 exiled the last Khalif and abolished his office. The anomalous support given by Hindus to the movement had already been partly alienated by the rising in Malabar, in 1921-2, of the Moplahs a fanatical Muhammadan tribe of Arab descent. Thousands of Hindus were cruelly massacred or forcibly converted to Islam. The baffling cross-currents of the troubled ocean of Indian politics were revealed by the fact that Mr. Gandhi gave a measure of support to the Moplahs, who were murdering and torturing his co-religionists, on condition that they proclaimed the doctrine of *swaraj*.

Yet, in spite of the acknowledged defects of dyarchy, certain lessons of constitutionalism were learnt, especially in those provinces where efforts were made to blur the distinction between reserved and transferred subjects and to make the dual executive in some way responsible for the

administration. In the central government there can be no doubt whatever that the legislature with its majority of non-officials, wielded great influence, for the official minority either through conviction or with a wise opportunism never opposed, them except in matters which it deemed vital.

Simon Commission and Round Table Conferences

The next stage in the constitutional problem was reached after the arrival of Lord Irwin as Governor-General in 1926. A man of high ideals, fine scholarship, and deep religious convictions, he showed such marked sympathy with the cause of Indian self-determination that he was often opposed by members of the political party (Conservative) to which he nominally belonged.

It will be remembered that the Act of 1919 had provided for the appointment of a commission of inquiry after the lapse of ten years, to decide whether the time had come for the next of those successive stages in the progressive realization of responsible government, of the advisability of which the British Cabinet and the Indian Government were to be the judges. There were, however, some people who declared, and perhaps not without reason, that the other condition attached to the promised advance, namely, co-operation rendered from Indians, had never come into existence at all.

Nevertheless, in reply to constant pressure, the Commission presided over by Sir John Simon was appointed in November 1927, two years before the full time. The seven members of it were all British. This was made a grievance both by the moderate nationalist party under Sir Tej Bahadur Sapru, and the more extreme section under

Pandit Motilal Nehru. So high a constitutional authority as Dr. A.B. Keith seems to think that an avoidable blunder was committed, but only a body external to India could properly decide whether she was fit for a further step towards the goal of self-government. She was not yet independent and so could hardly with propriety be allowed to investigate her own case. Later it was announced that seven members of the Indian legislatures would be asked to co-operate and to issue a simultaneous report. The landing of the commission in Bombay on February 3, 1928, was made the occasion of *hartals*, strikes, and hostile demonstrations. The central Indian legislature remained obdurate in its attitude, but the provincial assemblies ultimately rendered assistance, while the depressed classes and other minorities willingly laid their grievances before the commission.

A campaign of outrage and assassination flared out in Bengal and the Punjab. Bitter industrial strikes inflicted grave economic loss. The government was forced to pass a public safety and a trade disputes act, and prosecuted in the courts twenty-nine agitators, of whom three were British. This step proved somewhat ineffective, for the trials were not concluded till five years had elapsed, and the sentences then tardily pronounced were afterwards either reduced or remitted by the Court of Appeal.

Lord Irwin became convinced that 'it was no longer feasible to maintain an irresponsible central government continuously enflamed by the criticisms of an opposition which could never be challenged by the touchstone of office to make its criticisms good. He paid a hasty visit to England to confer with the new Labour Government, and returned to make on October 31, 1929, the momentous announcement that the natural issue of constitutional progress in India was the attainment of Dominion status and that, after the Simon Commission had reported, a round table conference would be held in London to hear representative Indian views before the bill was brought before Parliament.

Whatever may be thought about the statesmanship of this declaration, it seems a reasonable criticism that it should not have been made until the commission had concluded its labours. It left that unfortunate body in the air, and at the same time stole its thunder. In addition, the phrase 'Dominion status' was unhappily so ambiguous as to be capable of a variety of interpretations. Lord Irwin and the Cabinet seem to have used it in the (sense in which it was employed in the preamble to the Act of 1919, as applicable to the constitution of a dependency enjoying responsible or autonomous government, whereas Indians immediately fastened upon the term the connotation made definite and explicit at the Colonial Conference of 1926, when it was defined as the status of 'autonomous communities within the British Empire, equal in status in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the Crown and freely associated as members of the British commonwealth of nations'. Clearly a whole sub-continent of manifold languages, warring faiths, and deep communal cleavages, where majority rule was impossible and reliance on the suzerain power for external defence inevitable, could not aspire to a status so defined,

When it became clear that no party in England was prepared to sanction any scheme of Dominion status which could be put into operation at once; the Congress meeting at Lahore authorized a new campaign of civil disobedience and passed a resolution, moved by Mr. Jawaharlal Nehru, that the goal; of the Indian people was complete national independence.

The report of the Simon Commission was published in May 1930. It will always stand out as one of the greatest of Indian State papers. The impressive unanimity of the commissioners, who from their known party antecedents must clearly have sacrificed all but their deepest convictions to attain it, ought to have commended their sagacious

and temperately worded conclusions to all men of good will. But the report was promptly assailed by the Indian extremists, who would equally have assailed any conceivable position that the commission might have adopted, while the British Government, as we have seen, had partly forestalled and ultimately side-tracked it, though some of its recommendations were afterwards adopted.

Briefly, the commissioners recommended that dyarchy should be abandoned in the provinces and responsible government made a reality, even the maintenance of law and order with all the other transferred subjects passing under the control of ministers responsible to the legislatures. In the central government, however, responsibility was not advised. This was not due to any lack of sympathy with the ideals of self-government, but to the inescapable difficulties of the actual position in India—difficulties from the existence of which both Indian patriotic leaders and British politicians were far too apt to avert their gaze. There were the communal dissensions making the majority rule, which is the *sine qua non* of a democratic government, a sheer impossibility. There was the question of defence, for not even the most violently patriotic of nationalist leaders could visualize, with, complacency long files of the British army marching from frontier-posts and, garrison-towns to ports of embarkation for Europe. There was the necessity of finding a niche in an all-India constitution for the Indian whose point of view had been hitherto dangerously ignored. They were indeed out of agreement with either side in the main controversy. Determined not to acknowledge the suzerainty of Indian, ministers responsible to popularly, elected legislatures, they were far from being willing to regard themselves as mere princely supports and bulwarks of an imperial government with autocratic powers. They had long been restive under the tendency of the paramount, power to supervise their internal affairs and whittle-down, as they thought, their treaty rights. This attitude had dated

especially from the very important pronouncement made by Lord Reading in 1925 on the claims put forward by the Nizam in relation to Berar, that in the internal affairs of his state, he stood on the same footing as the British Government in India, in regard to the internal affairs of British India. Lord Reading declared: 'The sovereignty of the British Crown is supreme in India, and therefore no ruler of an Indian state can justifiably claim to negotiate with the British Government on an equal footing. Its supremacy is not based only upon treaties and engagements but exists independently of them, and quite apart from its prerogatives in matters relating to foreign powers and policies, it is the right and duty of the British Government, while scrupulously respecting all treaties and engagements with the Indian states to preserve peace and good order throughout India.' And further:—The varying degrees of internal sovereignty which the rulers enjoy are all subject to the due exercise by the paramount power of this responsibility. The fiscal question also complicated the relation of the states to the British Government. It has been estimated that since the adoption of protection in 1921 the central government takes annually from the Indian states, who have practically no sea-board, £10,000,000 in custom, dues, levied solely in the interests of the population of British India.

The Simon commissioners realized that the rule of a government responsible only to the Secretary of State would not last for ever, and they looked forward to the conception of a Federation—though it was outside the terms of their reference to recommend it—which should unite the autonomously governed provinces of British India with the traditional monarchies of the Indian states, under the supervising and sympathetic control of the Crown. Part of the hostility of the nationalist leaders to the Simon report may well have been due, as Dr. Keith suggests, to its mild hint that autonomous government in an oriental environment need not necessarily be identical in every particular with its counterpart under occidental skies.

They would have none of such a doctrine, for their 'views on these topics have throughout shown a remarkable lack of ingenuity and a determination slavishly to copy western models hardly compatible with the national spirit by which they are animated'.

The publication of the Simon report did nothing to allay, it probably even intensified, the campaign of violence instigated by Congress agitators. An illegal movement for the manufacture of salt was inaugurated by Mr. Gandhi, who marched at the head of his followers from Ahmedabad to Dandi beach in April 1930. Commercial boycotts and the picketing of liquor shops were embarked on in the towns, and the non-payment of rent was advocated in country districts. Many serious riots took place, and the work of the police in quelling them was made very difficult by the unprecedented number of women who took part in them. In the North-West Frontier Province a 'red shirt' movement under a queer amalgam a Pathan leader Abdul Ghaflar Khan, a queer amalgamation of Congress views and pan-Islamic sentiment, added a modern seditious tinge to the age-long tribal blood-feuds of the borderland.

The Indian Government was now forced, and not before it was time, to reassert its rapidly waning authority by press laws and other coercive measures empowering in certain cases detention of suspects in prison without trial, but it balanced this policy by strenuously endeavouring to proceed with its plan of conciliation and reform. Three round table conferences were held in London between representatives of all the British political parties on the one hand and all sections of Indian opinion except the Congress party on the other. The sessions took place November, 16, 1930, to January 19, 1931, September 7 to December 1, 1931; November 17 to December 24, 1932. During the second session the Labour Government fell and was succeeded by the National Government, but the new Cabinet practically accepted the Indian policy of its predecessors.

The most surprising and momentous result of the round table conferences was the unexpected announcement by representatives of the Princes at the first session that the latter were in favour of a federation provided that responsibility was conferred upon the central government. The turn thus given to affairs at first won over both British and Indian parties in the conference. The Indian nationalists gladly made common cause with the Princes against irresponsible British control in the centre, and only later came to recognize that the Princes' main preoccupation was 'to ward off from their dominions the insidious virus of democracy'. The British Government felt that to grant self-government to a federation to which the adhesion of the Princes would bring some element of tradition and sobriety, would, be a very different thing from granting it to a popularly elected assembly of earnest but impatient idealists. On January 19, the concluding day of the first session, the Prime Minister announced that 'with the legislature constituted on a federal basis' the government 'would be prepared to recognize the principle of the responsibility of the executive to the legislature'.

Following this declaration, every effort was made by the Indian Government to conciliate the Congress party. The working committee of that body, which had been imprisoned, was released, and between February 17 and March 5 Lord Irwin had many interviews with Mr. Gandhi. Though some of the reactions to this unconventional course were not very happy, in that the Moslem party's fears of Hindu predominance in their disfavour were intensified, and many extremists believed that the government had yielded to pressure, yet an accord was made on March 4 between the Viceroy and the Mahatma by which it was agreed that civil disobedience was to cease, political prisoners except those condemned for outrages to be amnestied, and Mr. Gandhi to represent Congress in the next session of the conference in London.

The second session proved disappointing, for Mr. Gandhi was unhelpful and the Indian members were unable among themselves to reach any agreement on the communal question.

When Mr. Gandhi returned to India he found that under Lord Willingdon, the new Governor-General, the control over affairs which had been unduly relaxed, though from the highest motives, in Lord Irwin's time, had now been resumed. He was himself soon imprisoned, and the activities of Congress were declared illegal. This tardy re-establishment of authority was so successful that in three months the number of those detained in prison for civil disobedience fell from 34,458 to 4,683. The British government, to whom the task had been left by the contending Indian parties themselves, announced their award on the communal issue, as affecting representation in the legislatures. This award was supplemented and modified with the government's consent by the Poona Pact of September 1932 between Mr. Gandhi and the leaders of the untouchables. Mr. Gandhi forced this solution on his unwilling co-religionists by use of the weapon he had so often employed against the government—the threat of a fast to the death.

After the third session of the conference, November 17 to December 24, the government drew up a set of proposals for the reform of the Indian Government based on the agreed results, such as they were, of the round table conferences. They were mainly approved by the Liberal party and a majority of the National Government's supporters, convinced that a bold and generous step forward was now Essential, but opposed by a section of the Conservative party, who held that the toiling masses of the Indian people were wholly unused to, and unfitted for, democratic government, that it was hopeless to attempt to mollify Congress, now actually demanding complete independence, that already under Indian management many of the public services had

sadly deteriorated, and finally that there would be a serious danger of anarchy when the police, who had shown heroic fortitude and loyalty through a time of searching trial, were subjected to the authority of autonomous provincial ministries.

Mr. Winston Churchill placed himself with gusto at the head of this recalcitrant party, who honestly believed that the proposals amounted to a surrender by Great Britain of her traditional task in India. It is likely that he was sincere enough, as most of his followers undoubtedly were, and his parliamentary and debating abilities were beyond all questions, but, as is usually the case with his abounding personality, his slashing invectives and exuberant onslaughts gave a twist to the conduct of the case which probably did his cause little service and neutralized the quieter and more effective, pleadings of experts like Sir Reginald Craddock.

The white paper was submitted to a joint select committee of both Houses of Parliament. Mr. Churchill and Lord Lloyd declined to serve to it (though the former gave evidence before it) on the ground, which had probably some foundation in fact, that it had been outweighed by the appointment of men already known to be in sympathy with the government's policy. The general opinion, however, was that they would have been better advised to take their places on the committee.

The joint select committee accepted the white paper, but laid stress on the necessity of safeguards. The Government of India Act was passed on December 20, 1935. The chief modification made in its passage through Parliament was the surprising and rather unfortunate amendment introduced in the Lords, by which the election of members to the upper house of the Central Government was made direct instead of indirect, and transferred from the provincial legislative assemblies to unwieldy territorial constituencies. Thus there results the anomaly that in the upper house

election is direct, and in the lower and theoretically more popular house it is indirect.

The government refused, with doubtful wisdom or consistency, to accede to the desire of the Liberal and Labour parties that the Act should re-affirm the famous preamble of the Act of 1919 declaring the ultimate goal to be dominion status.

Meanwhile neither communal riots nor murderous attacks on government officials ceased. The most terrible Hindu-Moslem outbreak was at Cawnpore in March 1931. The period 1930-3 was a black one for terrorist outrages, especially in Bengal. Within three years three district magistrates of Midnapore alone met their deaths at the hand of political assassins. It was found necessary under the special ordinances to detain in prison or under observation, without trial, a large number of suspects, many of them students and youths of impressionable age. Such a procedure is of course opposed to all normal principles of representative government, and offered nationalist orators an obvious opportunity for specious invective. But even democratic governments, as the guardians of freedom, are bound to defend their existence against subversive and fanatical minorities who endeavour by bomb or pistol to tear up the very foundations of liberty. Sir John Anderson, Governor of Bengal, happily survived a desperate attempt on his life by two young terrorists on May 8, 1934, at the Lebong race meeting. He showed magnificent courage and coolness in facing his assailants, and with splendid magnanimity and by a happy and statesmanlike expedient did much to solve the problem of the *détenus*, as they were called, by establishing industrial camps and farm colonies in which the suspects could be trained in peaceful occupations against the day of their release.

Index

A

Abolition of Certain Conditions
and Incidents, 297

Abwab and the Renewal of Thika
Leases Abwab, 245

Act, 27, 32, 431, 483, 490

Act of Parliament, 48

Aden to Baluchistan, 8

Aderson, John, 490

Advisory Committee, 427

Afridis of the Khyber Rifles, 3

Agreement Signed between
Gandhiji and Leading
Planters, 290

Ahmad, Aftab, 158

Ahmad, Manzoor, 126

Ahmed, Bashir, 126

Ahmed, Raziuddin, 126

Ali, Asaf, 97

Ali, Mohamed, 119, 121-22

Ali, Mir Asad, 335

Ali, Nisar, 126

Ali, Shaukat, 121

All India Khilafat Conference,
145

All India Service, 458

All India Subjects, 416

Alteration of Rent in View of
Such Abolition and Note of
the Resulting Rent in the
Record of Rights, 298

Anglo-Indians, 72, 176, 315

Anglo-Russian Convention, 86

Ansari, M.A., 130

Arab of Mesopotamia, 165

Arabian tribes, 8

Army Council, 476, 478-79

Arundel, A.T., 62

Aryan, peoples, 316

Asiatic Registration Act, 60

Assam, 402

Azad, Abdul Kalam, 95

Aziz, Ghulam Mohammad, 126

B

Bahadur, Rai, 68

Baker, Edward, 291

Banerjee, Guiudas, 67

Bannerji, Gurudas, 184

Baptista, Joseph, 324

Bari, Abdul, 95

Barrow, F.H., 76

Balfour, A.J., 66

Bengal, 397

- Criminal Law Amendment, 438
 Legislative Council, 157
 Tenancy Act, 246-47, 276
 Besant, Annie, 171, 303
 Bihar, 400
 Planters Association, 291, 302
 Bilgrammi, Syed Hussain, 70
 Bills, Rowlatt, 335
 Black Sea, 148
 Blunt, W.S., 61
 Bogle, George, 15
 Bombay, 396
 Bradlaugh, Charles, 186
 British, 21
 Cabinet, 52
 Columbia, 46
 Crown, 484
 Empire, 147
 India, 485
 Parliament, 65
 Rule, 165
 rule in India, 60
 Brodrick, John, 23
 Brothers, Ali, 95, 131
 Buddha, 13
- C**
- Calcutta, Municipal Act, 58
 Canada, 46
 Cart Sattas, 255
 Case Withdrawn, 242
 Categorical Rejection of Indians
 Demand for Responsible
 Government, 71
 Central Khilafat Committee, 136
 Central Legislative Assembly, 466
 Central Provinces the
 Swarajists, 451
 Centre, 435
 Centre and Provinces, 443
 Chamberlain, Austen, 78
 Champaran Agrarian Act, 296,
 302
 Agrarian Enquiry Committee,
 291
 Charnock, Job, 48
 Charter Acts, 37
 Chaudhri, Rambhaji Datt, 95
 Chaudhari, Sarladevi, 346
 Chinese, 16
 Chintamani, C.Y., 461
 Chirol, Valentin, 54
 Chirole, V., 61
 Chitral, 3
 Chotani, M.M., 95
 Churchill, Winston, 489
 Churiwala, Abdullah, 126
 Circumstances Favouring its
 Enactment, 56
 Clemenceau, M., 147
 Commission of Inquiry, 392
 Commutation by Enhanced
 Rent, 270
 Commutation by Money
 Payments Tawan, 273
 Congress Enquiry Report, 330
 Congress Party, 60, 371
 Constitution and Procedure
 of the Appointment of
 Committee and Term of
 Reference, 291

Conversion of the Indigo
Obligation, 267

Council of State, 410

Craddock, Reginald, 55

Crimean War, 148

Crimes Act, 306

Criminal Investigation
Department, 333

Criminal Law Act, 63

Criminal Procedure Code, 229

Currimbhoy, Fazulbhoy, 335

Curzon, George Nathaniel, 1

D

Dane, Louis, 6

Das, C.R., 208

Decennial Settlement
Regulation, 245

Decentralization Commission,
372

Defects in the System under
which Indigo is Grown, 263

Defence of India Rules, 202

Defence of India Act, 306, 321,
475

Desai, Chandulal Manilal, 336

Disorders Inquiry Commission,
369-70

Dutt, R.C., 31, 89

Dutt, Rambhaji, 345

Dyarchy, 449

Dyer, General, 863

E

East India Company, 15, 316

Eden, Ashley, 232

Elles, Edmond, 39

Emergency Powers, 336

Europe, 484

European War, 9

Evaluation of the Reforms, 71

Evidence Act, 330

Executive Councils of Madras
and Bombay, 92

Excessive Share of
Representation for the
Muslims, 67

Expansion of the Central
Legislative Council, 64

Expansion of Provincial
Legislative Council, 65

Explosive Substance Act, 63

Extracts from Minutes of
Champaran Committee
Meeting, 276, 281

F

Face to Face with Ahimsa, 239

Finance Department, 460

Fines, 255

Fisher, HAL., 143

Foreign Affairs, 1

Franchise, 403

Fuller, J. Bampfyde, 83

Future System of Growing
Indigo, 266

G

Gandhi, Mahatma, 46, 95, 117,
159, 164, 207, 259, 474

Magna Carta of Indian Liberty
in South Africa, 46

Gentle Bihari, 236

George, David Lloyd, 143
 George, Lloyd, 106
 Ghadr party, 227
 Ghazhavi, Maulvi Muhammad Daud, 125
 Ghose, Rash Behari, 67
 Gokhale, Gopal Krishna, 198, 312
 Goldsmith, Frederic, 10
 Government of Bihar, 291
 Government of Bombay Political Department, 143
 Government of India, 379, 425
 Government of India Act, 372, 471
 Governor-General in Council, 431
 Grand Committee, 424
 Grand, Francois, 230
 Grazing Rights, 253
 Great Britain, 6, 308
 Grey, Col., 76
 Grievances Connected with Indigo Preliminary, 259
 Gulab, Shaikh, 233
 Gupta, J.M. Sen, 210
 Gupta, K.G., 70
 Gyantse, 22

H

Haq, Mazharul, 236
 Haqqani, Abdul Qayyum, 125
 Hardinge, Charles, 44
 Hassan, Amir, 89
 Hastings, Warren, 15
 Haswi, Arif, 126

Hickey, Colonel, 230
 High Commissioner, 36
 High Court Bombay, 229
 Himalayas, 12
 Hindu Minorities, 67
 Hindu-Muslim Unity, 100
 Home Authorities, 430
 Home Rule League, 227-316
 Home Rule Movement, 171
 Horniman, B.G., 357
 Hossain, Syad, 143
 House of Commons, 1
 House of Parliament, 428
 Hume, A.O., 172
 Hunter Committee, 353
 Hussain, Abbas, 126
 Hussain, Tafazzul, 126

I

Imam, Hasan, 158
 Immigration Act, 45
 Imperial Legislative Council, 64, 67, 437
 Indian Arms Act, 326
 Christians, 72
 Civilians, 30
 Civil Service, 316
 Constitution history, 412
 Councils Act, 56, 64
 Criminal Act, 63
 Culture, 171
 Empire, 373
 Home Rule League, 210
 Legislative Assembly, 407
 Legislature, 432

Muslims, 145
 Mussalmans, 156
 National Congress, 57, 89,
 206, 303
 Penal Code, 166
 Press Act, 306
 public opinion, 43
 Service Commission, 467
 of South Africa and East
 Africa, 323
 Universities Act, 58
 Instrument of Instruction, 456
 International Commission, 145
 Irwin Messers, 278
 Iyer, Subramania, 67

J

Jallianwala Bagh, 165
 Jama Masjid in Delhi, 132
 Jaziralul-Arab, 95, 109, 144
 Jesus, 172
 Jinnah, M.A., 209
 Johnson, E.H., 295
 Joint Standing Committees of
 the Council of State, 384

K

Karkrishenlal, Lala, 345
 Karo La, 21
 Keith, A.B., 53
 Kennedy, Pringle, 258
 Kerosene Oil Monopoly, 252
 Khalil, Ibrahim, 126
 Ihamba, Jong, 20
 Khan, Abdul Ghaffar, 486

Khan, Aga, 158
 Khan, Ajmal, 95, 129
 Khan, Zafer Ali, 131
 Khan, Zulfikar Ali, 335
 Khaparde, G.S., 335
 Khilafat Conference, 95
 Khyber Pass, 3
 Kincaid, C.A., 335
 King Edward III, 35
 King George, 46
 Kitchlew, Saifuddin, 95
 Kripalani, J.B., 332
 Kurram, 3

L

Labour, 254
 Lal, Lala Harkishen, 365
 Lama, Dalai, 13, 21, 44
 Lama, Tashi, 13, 85
 Land Resolution, 31
 Legislative, 380
 Legislative Assembly, 53, 425
 Liberatism in England, 37
 Lieutenant Governor of Bengal,
 35
 Lieutenant Governor of Bihar,
 47
 Lindsay, B., 142
 Local Self-Government, 642
 Lord Ampthill, 6, 35
 Lord Chancellor, 46
 Lord Crewe's Committee, 426
 Lord Curzon, 16, 26
 Lord Dalhousie, 42
 Lord Dufferin, 42

Lord Elgin, 1, 4, 93
 Lord Ellenborough, 41
 Lord George Hamilton, 4
 Lord Hunter, 476
 Lord Irwin, 481
 Lord Kitchener, 32, 38, 81
 Lord Lansdowne, 9, 18, 20
 Lord Lytton, 24, 53
 Lord Mayo, 28
 Lord Minto, 41
 Lord Northbrook, 2
 Lord President, 46
 Lord Reading, 438
 Lord Ripon, 41, 93, 464
 Lord Rosebery, 24
 Lord Salisbury, 1, 30
 Lord Scarsdale, 1
 Lord Sinha, 158
 Lord Southborough, 51
 Lord Willingdon, 488
 Lowell, James Russell, 171
 Lowndes, George, 337

M

Macdonnell, A., 26
 Madras, 395
 Majumdar, R.C., 63
 Malaviya, Madan Mohan, 209
 Marten, Fagan J. T., 335
 Martial Law, 353
 Marwari Association, 409
 Mary, Virgin, 172
 Mazhar-ul-Hug, 113
 McMahon, Henry, 10
 Meston Committee, 448

Meston, James, 49
 Methods of Cultivation, 261
 Method of Representation, 408, 411
 Military Member of Council, 40
 Minor Administrations, 463
 Minutes of Champaran Committee Meeting, 288
 Modification of Provincial Constitutions, 391
 Mohani, Hasrat, 95
 Montagu, E.S., 49, 316
 Moore, P.L., 335
 Morley, John, 61, 80
 Morley-Minto Reforms, 56
 Morley Minto Reforms the Anglo-Russian Convention, 79
 Morshead, L.F., 295
 Muddiman, Alexander, 454
 Mudholkar, R.N., 68
 Muhammedans, 77
 non-Muhammedans, 67
 Muhammedan Powers of Turkey, 5
 Muslim League, 70
 Muslims of India, 164

N

Nair, Sankarant, 335
 Naoroji, Dadabhai, 59
 Naqvi, Syed Sulaiman, 143
 National Archives of India, 171
 National Congress Party, 35
 Native States, 393
 Nehru, Jawaharlal, 124, 483

Nehru Motilal, 167, 345, 482
 Newspaper Act, 63
 Norman, J.B., 290
 North-West Frontier Province, 4

O

O'Connor, 15
 O'Dwyer, Michael, 51
 Orange Free State, 45
 Orissa, 400
 Orlando, Senor, 147
 Other Grievances of Tenants
 Fees on Transfer, 250

P

Pal, Bipin Chander, 60
 Parliament and the India Office,
 375
 Partition of Bengal, 37
 Patel Vallabhbhai, 336
 Patel, V.J., 335
 Penlop, Tonga, 22
 Persian Gulf, 8
 Petit, Dinshew, 345
 Philips, C.H., 71
 Pice, W.F., 335
 Polak, H.S.L., 324
 Prakasam, T., 209
 Prasad, Brajkishore, 234
 Prasad, Gorakh, 240
 Prasad, Ishwari, 61
 Prasad, Ramnavmi, 237
 Preliminary Action, 392
 Press Act, 320
 Price Paid for Indigo, 262
 Procedure Followed by the
 Committee, 294

Proposal that the Tinkathia
 System should be Abolished,
 266
 Provincial Civil Service, 34
 Provincial Executives, 384
 Provincial Finance, 446
 Provincial Legislatures, 387
 Provincial Subjects, 418
 Provisions to have effect
 notwithstanding any other
 enactment, 300
 Public Prosecutor of Bengal, 92
 Public Services, 392, 467
 Punjab, 399
 Land Alienation Act, 32

Q

Qualification of Candidates, 409,
 412
 Queen, 372
 Queen to India, 46
 Quetta, 3
 Quran, 127

R

Rahman, Abdur, 5
 Rai, Lala Lajpat, 60, 366
 Rainy, G., 294
 Rajagopalachari, C., 174
 Ray, Sitanath, 335
 Reception Committee, 212
 Rees, I.D., 76
 Reform Act, 361
 Reforms Enquiry Committee,
 444
 Reid, D.J., 294

Remissions Resolution 32
 Renewal of Thika Leases, 249
 Rent Receipt, 248
 Restricted and Discriminatory Franchise, 66
 Richards, P.E., 329
 Rights in Frees, 252
 Rights in Hides, 251
 Roberts, P.E., 71
 Roe, Charles, 45
 Roman Catholic Church, 151
 Royal Commission on the Superior Civil Services in India, 467
 Royal Titles Act, 372
 Rules of Executive Business, 458
 Russia, 17
 Ryotwari, 31

S

Saheb, Ajmal Khan, 97
 Said, Maulvi Ahmed, 125
 Sapru, Tej Bahadur, 335
 Sarabhai, Anasuyabai, 336
 Sastri, Srinivasa, 335
 Satyagraha, 342
 Saving of Certain Short-term Contracts to Deliver a Specified Weight of a Particular Crop, 300
 Seditions Meetings Act, 63, 306
 Separate Communal Electorates for the Muslims, 68
 Settle and Determine Certain Agrarian Disputes in the District of Champaran, 296
 Shafi, Muhammad, 436

Shah, George Bernard, 171
 Shah of Persia, 8
 Shah, Syed Ataulla, 126
 Sharma, B.N., 335
 Shaw, G.B., 174
 Sheik Mubarak, 9
 Shraddhanand, Swami, 95, 168, 346
 Sikkim, 19
 Shivaji, 211
 Shukla, Rajkumar, 234, 258
 Shukul, B.D., 335
 Simon Commission, 431, 452, 482-83
 Singh, Amar, 126
 Singh, Kirtyanand, 248
 Singh, Rampal, 335
 Singh, Sunder, 126
 Sinha, Satyendra, 49
 Sinha, S.P., 70
 Sly, F.G., 293
 Sobhani, Haji Yousuf, 113
 Special Case of Rajghat Concern, 275
 Special Judge in Special Appeal, 284
 Stain of Indigo, 233
 Strict Qualifications for Membership to the Councils, 68
 Sultan of Oman, 8

T

Tarzi, Muhammad 154
 Tibetans, is Buddhism, 13
 Tibet of Afghanistan, 86

Tilak, Bal Gangadhar, 58, 215
Tilak Swaraj Fund, 120
Treaty of Lhasa, 84
Turner, Semuel, 15

U

Union Government of South
Africa, 45
United Kingdom, 1, 35, 105
United Provinces, 398, 405
United Provinces of Agra and
Oudh, 36

V

Vancouver, 46
Vijayaraghavachariar, C., 228
Village Administration Paper,
256
Vincent, William, 138

W

Wallas, Graham, 174
Waziris, Mahsud, 4
Webb, Sidney, 174

Wedderburn, William, 324
William, Fort, 36
Wisdom, Divine, 175
Walf, Henry Drummond, 9
Wood, William Page, 172
Working Committee, 117
World War, 332
World War I, 95, 131, 308, 327
Wyllie, Curzon, 92

Y

Yarn, 119
Yatung, 16, 22
Yeotmal, 221
Yezd, 87
Younghusband, F.E., 20
Young Turkish Party, 148
Yugoslavia, 356

Z

Zacharias, 71
Zamindar, 334
Zoroastrian, 180